

N A G A R L O K

Editor

Prof. V. Jagannadham

Director, Indian Institute of Public Administration,
New Delhi

Dr Mohit Bhattacharya, *Assistant Editor*

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Editor
V. JAGANNADHAM

Asstt. Editor
M. BHATTACHARYA


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OUR CONTRIBUTORS

Prof. DEVA RAJ is Director of Centre for Urban Studies, Indian Institute of Public Administration, New Delhi; Smt. NIRMALA BANERJEE is Fellow at the Centre for Studies in Social Sciences; Shri V. K. A. R. RAJU is Adviser, Urban System Centre, National Institute of Training in Industrial Engineering, Bombay; Shri SUBHASH DANDEKAR is Environmental Engineer, Municipal Corporation, Bombay; Shri JASWANT RAI is Assistant Professor of Planning, School of Planning and Architecture, New Delhi; and Dr. S. N. JHA is one of the Faculty Members of the Department of Social Sciences, I. I. T., New Delhi.

EDITORIAL

Nagarlok is now six years old. Since last year, the Centre for Training and Research in Municipal Administration has been renamed as the Centre for Urban Studies. This has meant widening the area of interest which today includes, aside from municipal administration, urban affairs in its totality. *Nagarlok* has also to keep in step with this momentous change. From now on, we will be trying to increase the coverage of the journal in order that we can include discussions on wider issues relating to urbanization and urban development. It needs to be emphasised that the change does in no way underrate the importance of municipal administration which will always remain our first love. What it really means is that municipal administration can now be viewed in the wider perspective of urbanization and urban institutions. Henceforward, we will therefore welcome articles focused on major policy issues relating to urbanization and urban development and discussions on urban planning and management. We look forward to continued patronage from our readers and well-wishers.

—EDITOR

Some Factors in National Urbanization Policy

WHILE the national plans have set out short time objectives for the last two decades and provided funds for housing and urban development in a limited way, the urban sector has hardly received any distinct recognition. The Housing and Town Planning Minister's Conference convened by the Ministry of Works and Housing from year to year have underlined the need of formulation of a rational policy on urbanization. The Ministry, therefore, convened on January 28, 1975 a meeting of experts to consider an approach paper prepared by the Town and Country Planning Organisation for a draft resolution on national urbanization policy.

Regional Planning and Development

The approach paper rightly underlines the need of regional planning and development of small and medium towns as well as the new growth centres. There are, however, two points that need consideration before any plan of regional development can become a reality. In the first place, it is necessary to distinguish between the urban as a static concept and urbanization as a process. The physical planners are still pre-occupied with preparation of Master Plans for 'Urban Centres' along with their peripheral expansion to check chaotic urban sprawl and to ensure planned growth of cities. We are not planning for 'urbanization'. There is hardly a plan for containing the city and limiting its growth. It is necessary to orient our planning for new balance of human activities and

settlement patterns by dispersal of employment opportunities and population over wider areas. It has to be recognised that all development activities and technological change involves a shift in land utilization from primary exploitation to secondary and tertiary uses bringing about new balance in the hierarchy of human settlements. It is this process of 'Urbanization' for which we must plan. There is no doubt an increasing awareness of these processes of growth and development and their impact on economic and social welfare. Regional planning and development of backward areas is receiving increasing attention. But the methods and techniques for a systems approach to settlement planning is yet to be evolved. A *Social System*, an *Economic System*, a *Political Administration System*, and an *Environmental System* have to be worked out not only in relation to a city and its immediate periphery but in the context of the command area with its hierarchy of institutional levels and human settlements, all seen and planned for development as a totality. These microregions have in turn to be linked up with macro-regions and perhaps with some megalopolitan highly urbanised regions having national impacts and implications in this state of techno-economic specialisation.

Secondly, whatever regional plans are prepared will fail to take off unless they are interlinked with economic-sectoral planning. The concept of linking development with a planned pattern of human settlements, urban or rural, has been

slow to crystallise and yet slower to have an impact on socio-economic national development plans. The concept of GNP as the measure of development has given place in the Fifth Plan to overall strategies of social progress reflected, in the ultimate analysis, in the reduction of poverty and the upgrading of the people below the poverty line. While pressing the objectives of greater production, there is a sense of urgency for equitable distribution and provision of Minimum Needs to the poorer sections of society in rural areas and urban slums. But the distribution of GNP for a welfare society has direct correlation with the pattern of urbanization and dispersal of human settlements.

All development activities and urbanization are concomitant processes. The States should not only identify the physical regions but the sectoral plans need being superimposed on the physical plans. What is required is a rational pattern of spatial allocation both—in terms of activities and budgetary finances—bridging the gap between the physical planners, who have not given due place to economic and fiscal factors, and the economists who have ignored the spatial dimensions.

Urban Land Policy

The socio-economic development plans have taken the city and the human settlements for granted resulting in disproportionate pressure on existing infrastructure in and around major urban centres. This has not only led to deterioration in environment and imbalance in the eco-system accompanied by a steep rise in urban land values, but has created new constraints on development activities. The supply of developed urban land or even of land in the process of development have lagged far behind the fast growing demand for this scarce resource. Urban land represents not only an intensive form of use but it requires substantial investment in

infrastructure so as to meet the requirements of an urban complex.

Urban land sites are a commodity—a finished product through a process of development. Their inventories consist of: (a) the 'raw land' with urban potential, (b) 'land in process of development', and (c) 'developed land' awaiting disposal. They could be compared with an ordinary commodity in the process—such as (a) 'raw materials', (b) 'goods in the pipe line', and (c) the 'finished products'. Land, however, differs from other commodities being fixed, immobile with inelastic supply and a scarce national asset. However, this stands in contrast to the strong tradition of private ownership of land accompanied by a peculiar sanctity of private 'rights'. Land stands at the centre of the constitutional right to property. Its ownership is often looked upon as a privilege and a status symbol as well. These factors come into conflict with any new land policies; rural or urban. There are two more characteristics of urban land that count in any inventory. Firstly, urban land is a permanent asset. It is rarely expendible and does not generally depreciate with use. On the other hand, its use, re-use and change and intensification of use adds to its value enormously out of all proportions to its value as 'raw land' or even, initially developed site. Secondly, an owner's lands can develop in absentia, without his making any appropriate investment. The land acquires developmental attributes because of investments made in infrastructure by government agencies, local authorities, private developers in the neighbourhood or even in relatively distant areas. A railway crossing or bridge, a highway, communications and power supply, major water supply or drainage projects may all contribute to the development of—a piece of land that happens to fall in the catchment area of socio-economic growth.

It is therefore, necessary that the provision for urban land sites must be a part and parcel of the larger development

perspectives and the national plan must make adequate provision for land development on the basis of a physical plan. Another aspect that must be accepted as a part of national policy, is that values of urban land generated by social forces and developmental policies must belong to the society and the private individuals should not be allowed windfall gains in the shape of unearned increments. Unless this is assured, it is impossible to maintain inventories of urban lands at reasonable costs. This can be assured only by two methods :

- (a) A system of taxation of unearned values so that the owner should be entitled to no more than what originally belonged to him on the basis of use to which the land was put on an appropriate date; and
- (b) A system of compensation for land acquisition under which the private parties should not be entitled to potential values but should receive compensation on the basis of use and the income that the property generated on a specific date to be notified.

Norms, Standards and Designs

All our planning and development norms are governed by an urban elitist approach. It is a patent fact that we do not have the necessary resources, the materials and paying capacity for the provision of civic amenities, public utilities, accommodation, etc., designed to meet the norms and standards which we expect to achieve in our plans. The building bye-laws for instance would not admit of a 25 sq. yd. plot for a household, nor any sub-standard structures. On the other hand more than 80 per cent population of the most affluent urban areas cannot afford to abide by those standards. Under the circumstances we must have Dharavi along side Malabar hills in Metropolitan

Bombay; the former in total violation of all standards of health, sanitation and levels of pollution. Again we have got to choose between low cost oxidation ponds and modern sophisticated treatment plant for sewage disposal. We have to put up with certain tolerance levels of pollution. Our designs of the various human settlements have to adopt lower level technology to ensure a better dispersal of employment opportunities. The objective to-day is not of developing model, ideal urban environment but minimum levels that will ensure reasonable standard of public health and safety. It is necessary to lower our sights and to evolve workable models with due regard to cost-benefit-analysis ensuring to meet only the minimum needs of the common man in an urbanizing society.

Administrative Infrastructure

No urbanization policy can be successfully implemented unless it is backed by an Administrative Organization duly equipped with legal administrative, technical and fiscal tools. For this purpose it is essential to develop a level of governmental authority coupled with necessary decentralization of powers to undertake tasks of area planning both physical and sectoral. Local Authorities have been traditionally conditioned to undertake routine duties and functions. The laws applicable to them were not designed to take up challenges of a dynamic rapid growing developmental situation.

Any administrative arrangement or organisation pattern has to be variable of : (i) functions, & (ii) area—of the levels of tasks and jurisdictions. Functions to be performed may include such micro-level personal services as distribution of water and electricity; construction and maintenance of local internal drains and sewers; repair reconstruction and improvement of roads, foot-paths, parking areas etc., lighting of streets; sanitations conservancy and refuse collection; immunisation dispensaries, child health and maternity

services; parks, children's corners, reading rooms, education etc. On the other hand there are functions such as trunk sewers and water mains; sewage disposal works and water works, the supply of electric power; construction of new neighbourhoods, arterial roads and bridges; large scale housing; refuse disposal, transport facilities, and the entire range of tasks of planning and development of infrastructure for systematic growth of the hierarchy of human settlements within a given area.

The two types of activities involve different order of viability, of technologies and financial operations and budgetary techniques. The first is often described as revenue expenditure met from rates, taxes and fees involving routine tasks but the second involves the management of growth and development of infrastructure through large scale capital expendi-

ture and investment to be financed from capital levies, betterment and/or development charges; letting, lease or sale of real estate or bulk supply of trunk services. The first degree of functions are usually the responsibility of municipal bodies. The second type of activities are however left to chance. In most of our urban areas, these go by default. The performance of the two categories of functions involve varying areas, levels, and jurisdictions depending on size and viability for effective delivery of services. It is necessary to evolve an overall regional level of government with the broader responsibilities of planning and development and lower tier rural and urban authorities to handle field activities. Without such an approach, integrated planning and development strategies can hardly be expected to succeed.



A Metropolitan Government for Calcutta Metropolitan District

THERE has never been a dearth of ideas for reforms of the urban government of the CMD. We all have a fairly good idea about the levels of inefficiency and heights of folly that the local bodies here are capable of. Each of us has in his pocket a pet plan for their reforms, usually a quick adaptation of civic organizations found in cities of other countries. These delicate foreign plants, when tried in the CMD's unfriendly soil, usually do not take firm roots. The failure of each such experiment, however, has only encouraged the planners to suggest more and more exotic experiments on the Calcutta scene in the hope that some such may take root. It is high time now that we gave up this trial and error method and accepted that the Calcutta metropolis is a very unusual development in the history of mankind and treating its problems at par with those of any other metros of the world—whether in this country or elsewhere, is not going to get us anywhere near a solution.

One such experiment that is now being suggested is a metro government for the CMD. While such an organisation would mean a welcome revival of local self-government in the CMD, it may not work as effectively as the greater Bombay Municipal Corporation, because of the very uneven and slow pace of growth of housing and urban facilities in different parts of the metro region. At the same time, there is a danger that,

because of the tremendous domination of the CMD economy and population over the West Bengal scene, the conflicts and demand of such a metro government would come to overshadow all other issues of development and politics in the entire West Bengal. Such a distortion of priorities in the State will be disastrous to both the State as a whole and the CMD.

The Economic Situation

We have had a number of references of Calcutta as a premature metropolis. Whether premature or deformed, it cannot be denied that, while Calcutta's population and size have grown very fast to a gigantic level since independence, its economy over that period has either stagnated or declined significantly. The co-existence of these two contradictory trends has created an unprecedented problem for the planners of civic development here.

Though the Calcutta metropolis is still one of the richest centres of the country, its economy has lost considerable ground both in absolute terms as well as in relation to other parts of the country. Some data indicating this is shown below. Though the figures are for West Bengal, they describe the conditions of the urban economy of the State and thus predominantly of the Calcutta metropolis.

In 1947, Calcutta was already a metropolis of great importance. It was the largest port for exports from India and thus supported a number of port-based activities; it had a well-established large industrial base; it was a large educational and medical centre; it was the capital of West Bengal and also the home of several central public sector activities; it was also the major trading, financial and commercial centre of eastern India. Altogether it was the most important and sophisticated city in India.

Industrial Growth

Since 1947, however, Calcutta has suffered a continuous and steady decline of its economic base, a decline which cannot but be described as secular. Industrial employment in West Bengal as a whole grew by only about 5 per cent between 1947 and 1961. During the same period industrial employment in Maharashtra grew by 45 per cent and in Gujarat by 13 per cent. Although West Bengal enjoyed a significant increase in industrial employment and investment from 1961 to 1966, this was mainly on account of direct public sector industrial investment in Durgapur. The second contributing factor was the orders of

the public sector mainly railways to industries in CMD during that period. The industrial boom of West Bengal collapsed in 1966, when public sector orders dropped and employment dropped along with them. Since then industrial employment has not regained its level in 1966 and there are no indications that this recession has been overcome by public investment during the 4th plan.

Fresh industrial investment in West Bengal has also had to depend mainly on the public sector because a large part of private savings coming into the capital market went into buying out foreign capital in existing industries. This meant really an export of investible funds from this region. As A. Mitra had pointed out in his book, *Calcutta—India's City*, the number of new scrips quoted on the Calcutta stock exchange increased by only about 12 per cent between 1947 to 1961 while those on the Bombay and Ahmedabad stock exchanges increased by 100 per cent over this period.

After the short-lived boom of 1961-66, West Bengal has once more fallen behind the rest of India, and especially Maharashtra, as can be seen in Table 1 below.

TABLE 1
New Companies in West Bengal and Maharashtra, 1966-69.

	1966-67		1967-68		1968-69	
	No. of New Companies	Authorized Capital of New Companies (Rs. in Crores)	No. of New Companies	Authorized Capital of New Companies (Rs. in Crores)	No. of New Companies	Authorized Capital of New Companies (Rs. in Crores)
West Bengal	244	20.9	213	19.7	219	9.0
Maharashtra	226	26.7	249	40.7	262	119.0
All India	1021	100.7	1035	107.4	1102	181.0

Source : *The Statesman*, Calcutta, 31st May, 1970.

The Calcutta Port

Thirdly, the Calcutta port has also been steadily losing its trade. There was a small increase in the volume of turnover during the early '60s mainly because of the PL 480 food imports but on the whole it cannot be said that the port and trade behind it are prospering [1960-61 total trade=147 lakhs tonnes; 1970-71 total trade=60 lakh tonnes (Source: *The Statistical Abstract 1970—C. S. O.*)]

Calcutta's Commercial Economy

Calcutta is also losing its position as the commercial centre of India. Table 2 below indicates this from the relative stagnation of direct tax receipts collected in West Bengal.

Another indication of this is the relatively slow growth of employment in

the organised sector of West Bengal outside registered factories as compared to that of Maharashtra and the rest of India. Between 1960 and 1966 organised sector employment, which is a good indication of urban employment grew by 43 per cent in Maharashtra and 34 per cent in West Bengal.¹ Of the West Bengal increase, a larger part came from increase in industrial employment than in Maharashtra. Also plantation employment was relatively more important in West Bengal than in Maharashtra, since the former accounts for over a fifth of the all-India plantation employment. This meant that the growth in other avenues of organised employment such as trade, commerce, finance, banking, public sector, etc., which are mainly urban, has been much less in West Bengal even in its best period of between 1961-66. Thereafter the total organised employment in West Bengal

TABLE 2
Collection of Direct Tax

State	1962-63 to 1964-65* increase in %		1962-63 to 1967-68* increase in %		1968-69 to 1971-72† increase in % assessment of income tax
	Total Direct tax receipts	Company Taxation receipts	Total Direct tax receipts	Company Taxation receipts	
(1)	(2)	(3)	(4)	(5)	(6)
West Bengal	3.61	7.21	32.32	12.57	38.64
Maharashtra	15.09	33.48	131.84	186.90	60.19
Total (All States)	6.31	3.61	76.67	67.74	55.01

* All India Direct Tax Statistics, 1969-70.

† Report of the VIth Finance Commission, Government of India.

¹ Prof. Amiya Kumar Bagchi, *The Frontier*, 19th Oct. 1974.

has remained more or less constant as seen in Table 3 below which means that the increase in non-industrial employment has just about compensated for the loss in industrial employment. In Maharashtra as well as the rest of India, after a slack period between 1966 and 1969, both industrial as well as non-industrial employment are on the rise.

The Whys and Wherefores

The reasons for the continuous decline in West Bengal's economy have not been fully explored as yet. However, one may

make some guesses about them. The partition meant that Bengal lost the area which used to generate agricultural surplus for its entire economy and therefore, reduced one of the major supports to urban economy of the region. Secondly Calcutta's growth was more dependent on foreign capital than that of Bombay which meant that the departure of foreign interests dried up the source of capital for the region. Thirdly, the British had no objection to a lop-sided growth of the country's economy, to the concentration of a number of activities in Calcutta at the cost of continuous back-

TABLE 3
Change in Employment Pattern

	(in lakhs)			
	1961	1966	1969	1971*
1. Total Organised Employment				
West Bengal	17.0	22.8(34.1)	22.7(—.4)	
Maharashtra	15.7	22.5(43.3)	24.3(8.0)	
India	120.9	161.9(33.9)	165.4(2.2)	
2. Total Industrial Employment				
West Bengal	7.39	8.73(18.1)		8.40(—3.8)
Maharashtra	8.27	9.37(13.3)		10.03(7.0)
India	39.18	47.02(20.0)		50.04(6.4)
3. Total Plantation Employment				
India	8.50	11.29(32.5)	10.71(—4.8)	

Note : Figures in brackets indicate percentage increase over previous column.

*All India Labour Statistics 1973.

Source: *Reserve Bank of India Bulletin*, August 1970

wardness in the surrounding regions of eastern India. The Government of India on the other hand, had to accept a policy of development of backward regions in the eastern zone even at the cost of some loss of efficiency. Therefore, part of the economic activities of the region which, in the absence of public interference, would normally have come to Calcutta because of its established infrastructure, were deliberately diverted away from it to other regions such as Paradwip, Ranchi, Barauni etc. Last but not the least in importance as a factor contributing to Calcutta's decline is the general decay of the river Hooghly.

Population Growth—The Uncommon Element

In other circumstances, this decline in Calcutta's relative economic importance would have meant that its general attraction to new immigrants would have also gone down and therefore, new influx of population would have been of a much smaller order. Admittedly, the stagnant agricultural situation of Eastern India would have in any case pushed large numbers of the rural poor into the city; but the depressed economy of the metro

would have acted as a counter-force. The influx of refugees, however, was an entirely external development independent of the state of the economy of the region or its capacity to absorb new entrants. Over the years since 1947, 12½ lakh refugees have settled in the Calcutta industrial region. Of these about 7 lakhs had arrived by 1951, another 4 lakhs arrived in the 10 years after that and the rest came after 1963. (*Economic Review*, Government of West Bengal, 1971.) Allowing for the natural growth of this population, Calcutta industrial region has had to accommodate some 18 lakhs people who have come to this region independently of the forces that govern the growth of cities. And it is precisely because of these additions to its population that Calcutta attained the dubious distinction of being the largest metropolis of India. If we compare the growth of population of Calcutta urban agglomeration with that of the Bombay urban agglomeration for example, it is obvious from Table 4 below that even despite of the additions of refugees population, the rate of growth of Calcutta urban region was in no way comparable with that of Bombay at any time since independence.

TABLE 4

Year	Population		Percentage Growth of Population over the previous Census Population	
	Calcutta Urban Agglomeration	Bombay Urban Agglomeration	Calcutta	Bombay
1941	3,577,789	1,686,127		
1951	4,588,910	2,966,902	28.26	76.96
1961	5,736,697	4,152,056	25.01	39.95
1971	7,031,382	5,970,575	22.57	43.80

Source : Census of India, 1971.

What implications does this have for designing urban government machinery? Several, I would say. To start with, it puts a very severe constraint on the available resources for civic development. No doubt, there is an imbalance between civic resources and responsibilities in most metros mainly because, everywhere populations have grown very fast and there is an acute shortage of civic services but in most cases, the tax base of urban governments is expanding along with the population because of new housing and industrial establishments. For the Bombay Municipal Corporation, for example, the boom in the economy is reflected in the fast rising receipts of octroi which increased from about 5 crores in 1964-65 to about 2 crores in 1971-72.

An indicator of the economic expansion of metros is the growth of more than one flourishing locus of activities within the metro boundary. Each such local centre may not house all the economic activities of that metro; but in its specialised activity, such secondary centres compare very well with the original city centre. This is true of, say the Bombay Municipal Corporation area, where in recent years a number of sophisticated suburban centres have come up.

In contrast to this the CMD today exhibits a very sorry picture. In this vast metro region of over 500 square miles, there is no location providing facilities for shopping, education, trading entertainment or public activities which are at all comparable with the city centre of the Calcutta Corporation area. Similarly all expensive building activity in Calcutta—building activity for offices, banks, expensive residential apartments etc.—is concentrated in the core of the Calcutta city. Except for a straggly growth of mean little residential houses along the railway and road connection, the rest of the CMD has not seen any

modern building activity. This means that the difference between the tax base of the central city and of the suburban cities remains wide and increases over time.

Because the influx of refugees caught everybody by surprise, their settlements over the metro region were unplanned. Therefore, the metro grew in various directions haphazardly and over a large area. These settlements within the metro, though inter-connected, hid vast expanses of undeveloped areas between them. When it came to delineating the boundary of the metro, an enormous area of over 500 square miles had to be included although the truly urban area was no more than 200 square miles. The entire pattern of settlements was along the means of communications and, if put on a map, it presents a star-shaped outline with Calcutta at its core and various offshoots of urban ribbons going along the road and railway lines.

Why the Parallels

Since the existing urban institutions of the CMD were in any case, weak and anachronistic, planners here felt free to suggest total changes in them. When it came to analysing the character of the problems in Calcutta, there appeared to be a lot of similarity between the Calcutta situation and that of other metros of the world.

For example, in every metro the pressure of population generates high social costs in the case of non-provision of some basic civic services like sanitation. Again, inspite of the relative economic conditions of the various countries, the costs and prices of providing urban services are surprisingly similar in most metros. For example, the cost of building a one mile length of sewerage is very nearly the same in Howrah and New York. Urban developed land is as expensive in parts of Bombay as in several American cities. Even more important, the more vocal

classes of metropolitan population, whether in India or in Brazil or in the U. S. A., have very similar tastes and demands. Unless one is extra careful, it is easy to believe that, either the more vocal are the only true representatives of the people and their demand patterns reflect the general social choices, or, that the poor are not so numerous as cannot be subsidised by withdrawing some of the consumer surplus from the rich. This also assumes that marginal costs of civic services fall steeply as their scale is increased. Careful scrutiny would probably reveal that none of these assumptions are true of the CMD.

The Case for a Metro Government

In the CMD situation, it was thus not unexpected that the planners took account of only the similarities of Calcutta with other metros and suggested that, given the necessary legislative measures foreign institutions could be adapted to meet the needs of Calcutta. They have already made experiments in setting up American types of functional institutions such as the CMWSA, and when these failed to take roots or proved inadequate, it is now being suggested that the CMD should have a metro level government either on the greater Bombay Municipal Corporation model or the Greater London Council model. The former has consolidated several local governments in the Bombay metro region into one Municipal Corporation. The latter has kept the local governments but created a new tier of government in charge of several specialised tasks. Both these reorganisations have been justified on the grounds of coordination in planning and development of civic services for the entire metropolis.

Calcutta already has the CMDA for such coordinated planning and development. That some planners now seem to think that there is need for a representative government at the metro level can only be because representative

government alone can raise local resources for the programme initiated by the CMDA.

The question now is—can the setting up of a metro government achieve this? Given that there is a basic imbalance between Calcutta's economic and population growths, is the setting up of a metro government any solution to the resource problem?

As was pointed out before, the really modern kind of civic development in CMD covers a very small area of the metropolis. In contrast, in London or in Bombay, the entire metropolitan region is more or less equally growth-prone, with relatively much smaller proportion of very wealthy or very poor areas. In London, for example, out of a population of over 88 lakhs in an area of 842 sq. miles, only a few small pockets (total area of four sq. miles having about 4 lakhs of people) are exceptionally rich. The per capita tax there is over £ 200 per annum. The rest of the area houses a population paying tax between £ 15 per capita to £ 35 per capita per annum. Planning therefore is on the basis of this model value of taxation of about £ 20 per capita per annum. In Bombay, the tax record of all areas within the metropolis is by now even more markedly even. If we take all the taxes on holdings together, then in 1969-70, the 30 lakhs population of the Central city paid about Rs. 55 per capita, the suburbs with 14 lakh population paid about Rs. 45 per capita and the extended suburbs with about 5 lakh people paid about Rs. 45 per capita. The area-wise differences are not significant.

In the CMDA on the other hand, there are great differences in the per capita tax collection in the different areas. Some 10 lakh people living in non-municipal areas pay less than Re. 1 per annum per capita. Another 12 lakh people living in 11 municipal towns pay less than Rs. 5 per annum. The remaining municipal population of about

28 lakhs outside Calcutta pay between Rs. 5 and Rs. 15 per capita while the 32 lakhs in Calcutta pay about Rs. 35 per capita. In the availability of services there are also the same wide differences. Half of the Calcutta Corporation area has most of the modern amenities including underground sewerage. On the remaining areas, there are extensive tracts without even piped filtered water supply.

A metro government giving equal representation to all these areas, will necessarily have to accept as its objective an equalisation of standards of civic services. It will also have to aim at equal taxation rates in all areas; but in the absence of an even development of all areas, equal tax rates will not generate equal receipts per head.

If the metro government does not accept these objectives, then it will only lead to a stalemate. The poorer areas will oppose all development plans for the richer areas. The richer areas on the other hand will resent it if their resources are continuously transferred to the poorer areas without the latter putting in much greater tax effort. Given the nature of Calcutta's urbanisation, it is unrealistic to hope that taxes of poorer regions can be brought up to Calcutta's level in any foreseeable future. On the other hand, although Calcutta Corporation area may be made to yield substantially higher receipts, there will be little left to subsidise development elsewhere after the tremendous liabilities of the current CMDA programme in Calcutta are paid for.

In these circumstances a metro government may merely create another level of establishment making further in-roads in the scarce local resources. It will at the same time generate an even greater sense of expectation from the public sector among the people here.

The Metropolitan Identity

If these expectations of a large part of the metropolitan population are continuously frustrated, then the homogeneity and the very identity of the metropolis will be destroyed. After all, given that a metropolis requires more civic services and that civic services are usually more expensive there, metropolitan people have to put in special efforts for the privilege of belonging to the metro. This will be even more so in case of the Indian cities which cannot expect any significant help from the rest of the country for their problems. Metropolitan people will be willing to put in these extra efforts, only if they see that some positive civic development however uneven, is going on in all areas. It is not that the newly developing suburbs in Delhi or Bombay are as well-equipped with civic infrastructure as the central city, but over the years, they also have seen continuous improvements and therefore, have faith in the metropolitan government. If this belief is frustrated, then there can be no successful metropolitan government. We already have the case of Tollygunge's amalgamation with the Calcutta Corporation. Since the Corporation consistently failed to do anything about Tollygunge's problems, the people there have now become convinced that they do not owe the Corporation anything.

It is possible that the Calcutta metro region is doomed to live at a very low level of civic services for a long time come. What is more, the differences in standards of civic services in different areas are, if anything going to increase as a result of the current CMDA programme. This will certainly mean enormous tensions within the metro government and a high probability of complete frustration of its purpose.

Creating a Monster

If the Calcutta metropolitan government becomes a reality, it will house over 80 per cent of the State's urban

people : almost all of the more educated, the more wealthy and the more vocal people will be living under this government in close communication. It will also include almost all of the venues of organised political activities in the State—such as the bulk of organised industrial employees, public employees, employees of banks and commercial houses as also teachers of higher education institutes. The metro government and its political issues, then, will most probably, overwhelmingly dominate State politics in West Bengal once it comes into being.

In the period between the two World Wars, politics of the Calcutta Corporation had come to dominate the politics of entire Bengal for precisely the same reasons : that it housed almost all the rich, educated and aware people and it had comparatively large resources at its disposal. After Shri C. R. Das became the mayor of the Corporation, he used the full potential of patronage that the position gave him in order to strengthen his hold over, the Bengal Pradesh Congress Committee and made special efforts to include representatives of all factions into the Corporation in order to keep them happy. He got as diverse a group of people as Haji Abdul Rasul, Cumilla's rural leader of non-cooperation movement as deputy executive officer, Aswini Mukherjee, a jute labour leader and J. C. Mukherjee, a member of the Calcutta gentry as aldermen, Subhas Bose as the chief executive officer and Suhrawardy as the deputy mayor.² None of these people had any previous experience or interest in civic business.

Once all the Bengal politicians became involved with the Corporation, it became by far the most important issue in Bengal politics. This is the main reason why Bengal politics of this period was completely sterile with no concern with national or regional issues outside Calcutta. Even Subhas Bose had to leave Bengal before he could contribute effectively to any national movement. Fazlul Haque, in spite of his Krishak Samity base had to sacrifice rural interest for the sake of achieving a compromise in Calcutta politics.³ We therefore, find a friend of Kiron Shankar Roy, an important office-bearer of the B. P. C. C. of that time, complaining to him in a letter from Sylhet on 26.4.40 that "The main source of factionalism in Bengal politics is the Corporation."

After independence, Corporation has lost its importance because, what with central grants, etc., the State budget grew much faster than that of the Corporation. There was even a period when urban resources in the State were being transferred to other areas in the State. By the beginning of the 4th plan, however, things have come a full circle. Most of the State funds are once more being spent on catering to urban middle class values especially in the CMD.⁴

Creating a metro government will once again give a new platform to the urban population of West Bengal, vitiating politics and resource distribution in the State even further. The problems of the Calcutta metro are not likely to be solved by such a government but it can very well manage to focus all attention of Calcutta once more to the

² Prithish Chandra Roy Chowdhury, *Life and Times of C. R. Das*, Oxford University Press, 1927.

³ Abdul Mansur Ahmed, *Amar Dekha Rajnitir Panchas Varsar*, Navaraj Vintavistan Dacca (in Bengali).

⁴ Nirmala Banerjee, *Instruments of Public Policy*—A paper presented at Seminar of the C. S. S. C. on West Bengal Economy in February 1974.

deteriment of the economy of the State and ultimately of Calcutta also.

Instead, it may be better at the moment to maintain the separate identities of the various local areas, and try to encourage as much of local decision and responsibility as far as possible. Local expectation should be kept at par with local capacity. Whatever may be the minimum requirements of civic services of metropolitan character unavoidable on ground of high social costs, can be looked after by State level agencies or

the CMDA as has been done up-to-now.

Conclusion

Ask any Calcuttan what he thinks of Calcutta and he will tell you that Calcutta is a very special city, not like any other city in this country. He is right, but perhaps for the wrong reasons. It is tragic that this special character of the Calcutta metropolis is neglected by the planners who should have been most concerned about it.



Municipal Accounting—A Framework for Measuring and Evaluating Performance of Managers

"Men come together in cities in order to live and they remain together in order to lead a good life."

—Aristotle

LET me start with a basic question, whether a City Government is a business organisation or not. Nine out of 10 persons or perhaps almost all will come out with an unhesitating answer that it is not. This leads us to examine the basic functions of City Governments. The City Governments have statutory obligations of providing water supply to the citizens and for this purpose to maintain a water supply system. They have to operate sewerage systems and some City Governments even produce sewage gas out of the waste material and sell to general public on commercial basis. In some cases, they raise compost manure for sale. Among other functions, they have to maintain slaughter houses, markets, sell the proceeds from municipal gardens, let out vacant sites and municipal buildings on rent, give on lease rights for boating in lakes and perform similar functions. These functions on the face of it may seem to be unimportant or have lesser significance. Just let us imagine for a moment what will happen, if the regular water supply is affected; if the meat is not sold in the market; the sewers choke emitting foul smell; the markets where we purchase vegetable and other day-to-day requirements are closed. The significant role that the City Governments play in providing services to the community will

be more than amply clear if we imagine the absence of these services.

Etymologically the term business means the state of being busy and as such can be identified with anything that one is busy about. In the field of economics, business may be defined as any activity which leads to the creation of utilities in the form of goods and services for satisfying human wants. Supply of water, maintenance of sewerage systems, marketing facilities, etc., are all goods and services in real terms and as such the City Governments who are in charge of providing these goods and services are business organisations.

Business Objectives

Business organisations, in our case the City Governments, are established for achieving certain specific objectives which may broadly be classified into: (a) Economic, (b) Social, and (c) Human.

The economic objectives refer to the supply of goods and services to the consumers by recovering the cost of providing such goods and services. For example, water is supplied not only for human consumption, which is an element falling under the basic necessities for a minimum decent standard of living; but

also for Industries, Railways, Transport agencies, Port Trusts who are engaged in the production of similar goods and services which ultimately contribute to the GNP, an index of economic progress of the country as a whole.

Social objectives are those practices followed by the City Governments in not charging unreasonable prices for the goods and services provided to the consumers; ensuring prompt and quality service and above all always keeping the interests of the consumers and the community in mind.

Time was when the labour was considered as a commodity that could be purchased and dispensed with as one pleased. However, progressive education, political democracy, equality in the eyes of law and other industrial and social reforms have led to a change in this outlook. It is now realised that employees are partners in progress and their well-being has to be constantly kept in mind as an overall objective, which may be classified as the human aspect of the City Government's objectives.

Management of City Governments

In the wake of socio-economic developments, since the attainment of Independence, the management of City Governments has assumed new dimensions. Civilisation and politics take their root in the City. It is the City which is the cradle of democracy and the laboratory of representative Government. It is the City Government which is very near to the people both in regard to geographical proximity and in providing goods and services to the people. Again, the best school of democracy and the best guarantee for its success is the practice of local self-government. It is therefore necessary to manage the affairs of the City Governments efficiently and economically. These requirements compel the application of management principles in the City Governments.

The activities of any organisation may be divided into the following six groups :

- (a) *Technical* : These refer to the technical aspects of performing work. For example, if it is water supply system it refers to the construction of dams, laying of pipes-main as well as service building reservoirs, pumping stations, operating these assets and maintaining them in proper condition, for the purpose of supply of water to the customers.
- (b) *Commercial* : The elements of functions under this head are the activities relating to finding potential buyers for the goods and services produced; buying goods and services for the purpose of generating the resources, calling for tenders, entering into contracts with private parties, and functions.
- (c) *Financial* : This relates to finding sources of finance for financing the projects and other activities of capital nature. It also refers to the need for managing the finance in the best interests of the organisation by properly utilising the available finance in the most profitable manner. Here the twin objectives of quality of service and minimum cost must be aimed. The budgets and budgetary control are the aspects concerned under this activity.
- (d) *Security* : This activity considers the protection of property of the organisation, such as keeping them in safe places by providing security guards, insurance of the goods, keeping proper records for the property owned by the

organisation and periodical check of the properties to ensure that they are in good and proper condition and that there had been no loss or pilferage. Providing security to the persons in the organisation also falls under this activity.

- (e) *Accounting* : It refers to the manner of recording the transactions in a set of records as provided in the rules and regulations of the organisation. The accounting system may be cash system or accrual system depending on the practices followed.
- (f) *Managerial* : This refers to the function of managing the enterprise as a whole keeping the overall business objectives set for the organisation, by observing the principles of management such as Planning, Organisation, Direction, Motivation, Coordination, Control, Innovation, Representation and Communication.

Accounting—Basic Concepts

Accounting is an activity of the business organisation. It is basically an information system. It is a process of identifying, measuring and communicating information to various levels of management to permit informed judgements and decisions by users of such information. Much of modern business management has only been made possible by accounting information. No management can avoid the necessity of observing accounting systems, as it is not possible to make any headway without this system.

Accounting to serve its masters well, must serve as a working tooling throwing analytical information of accurate nature and not merely serve to keep a record of

transactions that took place during a particular period, in a mechanistic way.

Present Accounting Systems—Its Limitations

The accounting systems now practised by the City Government are on a cash basis, recording actual receipts and disbursements of money, irrespective of the time period to which they pertain. It is the legacy left by the Britishers and though it might have served their limited needs, the system is no longer appropriate in the context of an independent country, striving to bring economic prosperity and increase the standard of living of the people.

In the absence of entries relating to accruals and prepayments, debtors and creditors, built into the system, it is not possible to determine the full financial effects of the operations of the organisation during an official year.

The existing system is mainly directed to produce the figures of receipts and payments as required under the budget heads of expenditure. The budgetary practices followed by the City Governments follow the conventional methods in aiming to control the expenditure rather than serving as a tool for management control for evaluating the performance of managers. On account of this, the accounting system, built into the conventional budgetary system does not fulfil the planning and control requirements of the management.

Under the existing system, it is possible to conceal overspending during a particular period by deferring budget payments to next year or by charging to a 'suspense' head of account. Owing to the cash basis, it is not possible to distinguish between a genuine shortage of income due to under-charging or shortage of cash flow due to an inefficient collection machinery.

In majority of cases, the accounting system is centralised, resulting in needless flow of paperwork between the head accounts office and the various operating units situated at various parts of the City Government's geographical jurisdiction. In some cases the same accounting records are maintained both at the unit offices and the head account office.

The present system entails duplication of work and a great deal of clerical effort is unnecessarily wasted. For example, there is a practice of getting the bills certified in regard to the availability of funds under that particular budget head at the head account office. This practice is observed despite the fact that similar scrutiny was done at the unit level. The duplication of effort involved can very well be imagined considering the huge volume of work involved in this process.

As the work is centralised there is generally considerable delay in posting the figures in various registers maintained, resulting delay in compiling monthly accounts, as enjoined in the rules. Thus, even the limited scope of timely scrutiny of the compiled accounts by managers is not possible on account of this delay.

Streamlined Accounting System

Any accounting system must serve as a sentry at the point of exchange between the organisation and the outside world by keeping a record of what comes in and what goes out. The records to be maintained for performing this objective should provide a convenient and accurate source wherefrom figures for the use of management control and building up the accounting statements can be extracted. The ultimate objective of such a system is to highlight the financial implications and the results of the activities carried out within the organisation.

The basic postulate for achieving the objectives mentioned in pre-para is a Commercial Accounting System, generally known as 'Accrual System'. Under this system, there are certain fundamental universally accepted concepts such as 'Debit the Receiver and Credit the Giver' for personal accounts all expenses and losses and Credit all incomes and gains in respect of impersonal items. It is sheer coincidence that the Commercial Accounting System, as is universally accepted and practiced today was developed in Italy during the 15th century, for administering the Italian City states. In addition, they observed the modern features of cost control, variance analysis and the application of accounting system for appraisal of administrative efficiency. If a country like Italy can adopt the commercial accounting principles and observe modern management techniques four hundred years ago, it needs no emphasis to say that city Governments in India will definitely benefit by adopting these systems and applying these techniques in 20th century, which period accounts for the height of civilization.

Under this system, there must be separate bank account and forms specially to suit the observance of the double entry book keeping principles. The transactions have to be identified as involving cash, cheques, petty items of payments and imprest account and adjustment thereof at periodical intervals, temporary advances and their clearance. Special procedure will however have to be designed for items not involving cash, i. e., merely an adjustment entry of a recovery, advance given or penalty levied., etc.

There must be cash book—both for receipts and payments—in which entries must be made for transactions. The balance must be struck each day and checked with cash on hand. All transactions must be recorded in Receipt, Payment and Journal Vouchers. After entering the transactions in Receipt and

Payment books, petty Cash Book and Journal vouchers, it is necessary to process the entries further. The objective is to recast the transactions of similar nature for a given period under a common head of account. This is achieved by posting the transactions into another register titled 'General Ledger'. This book is similar to the Day Book maintained by City Governments, with a difference that the entries are arranged account-headwise duly classified and condensed. This is an important record in as much as the final financial position of the organisation emerges only from the accounts kept in this ledger.

The next stage is the preparation of Trial Balance and the periodical accounts. Keeping with the fundamental principles of double-entry accounting that for every debit there must be a corresponding credit, this statement is prepared by extracting the figures from the General Ledger. The debit and credit columns in the Trial Balance will be totalled and after agreement of the balances further action for preparing the monthly accounts should be taken. The monthly accounts will follow the pattern of commercial accounts, *e. g.*, Trading Account, Profit and Loss Account and Balance Sheet.

Accounts Coding Structure

Coding of accounts refer to the identification of each transaction that

takes place in an organisation—both receipts and payments—with certain numbers, similar to the PIN code for identifying the each Post-Town. The present method of identifying the transactions is very crude and requires a lengthy narration, without any numerical code and is linked to the budget head of account with little relevance to the nature and purpose of expenditure.

The pattern of coding the transactions will vary from organisation to organisation and there is no rigid format. However, the coding structure must be capable of serving the twin needs of double entry book keeping system by identifying whether it is an 'Asset', a 'Liability' and 'Income', and 'Expenditure' and the subjective nature of transaction such as equipment purchased for treating water ; loan raised from public ; revenue from sale of water, sewage gas or renting of municipal market place and salary paid to employees.

The coding will be through numerical digits. The pattern of coding structure for big City Government may perhaps take the form as given at the bottom.

The main advantages of introducing an organised coding structure may be summarised in the following lines :

- (a) The accounts can be arranged on an uniform basis for all the departments or sections in the City

<i>Main classification</i>		<i>Sub-classification</i> (Detailed Account)	
X	X	X	X
Type of Account <i>e. g.</i> , Asset, Liability, Income, Expenditure	Major Group <i>e. g.</i> , Fixed Asset, Investments, Current Assets	Sub-Group <i>e. g.</i> , Cash and Bank balance, Inventories, Wages	This identifies a separate unit of accounting information and is the base or primary unit of accounting system is developed by posting in the General Ledger. <i>e. g.</i> , Labour wage, overtime, casual labour.

Government on a functional basis.

- (b) As the transactions are identified without any ambiguity, it is possible to relate the income expenditure, assets, and liabilities to individual managers responsible to perform certain functions. In this way, management control is made easy.
- (c) Though initially, this coding structure may look frightening, once the basic principles are understood with a receptive mind, it is simple to operate and employees will find it easier to operate this system than the complicated system of narration of each transaction according to the budget head.

Responsibility Codes

The central idea of management is to relate the expenditure in terms of responsibility to be performed by each individual manager in the organisation. The organisation chart is the starting point for undertaking this exercise. Each unit in the organisation is expected to perform a specific activity or function. Depending on the level of the manager who is entrusted with a particular job. The organisation chart is drawn indicating the positions of authority and relationship of various managers in the organisational hierarchy.

Depending on the levels of responsibility in the organisation the responsibility coding structure will be formed. As in the case of Accounts Coding structure, the responsibility code will be numerical. Each digit of the code will signify the responsibility level. For example the Chief Executive Authority of the City Government, the Municipal Commissioner and his Deputy Municipal Commissioners to whom the authority of the former is delegated may fall in the first level. The second level may be Wards or Departments in charge of specific function. Next to this may be the functional managers, required to carry out

specific activities, such as drainage, road construction, etc.,

The major objective of introducing responsibility code is to capture the expenditure with reference to the manager responsible to carry out such a job and hence the code need not necessarily correspond to any particular position or rank in the organisation. In other words, the codes merely express the reporting system in terms of responsibility relationship.

Effectiveness of Deliberative and Executive Wing

In India, the management of City Governments is in the hands of two distinct bodies. The first one is the Deliberative body and the other the Executive body. The former has the power of 'purse' while the latter has the responsibility over the 'resources'. There must be complete rapport between these two bodies for the efficient administration of the City Governments. Though the main function of the Deliberative Wing is to discuss matters and take policy decisions, leaving the execution of their policy to the Executive Wing, the effectiveness of the Deliberative Wing lies in ensuring that the funds sanctioned by them, generally called 'Budget Grant' is properly utilised and that too for the specific purpose. To this extent, they have to function as watchdogs.

Under the existing system of accounting which does not relate the expenditure to individual managers, it is often difficult for the members of the Deliberative Wing to effectively control and appreciate the actions of the Executive Wing. On the side of the Executive Wing also, the accounting system, whose basic function is to identify measure and communicate does not help them in effectively discharging their duties and responsibilities, with the result, that even with a genuine desire, they are helpless.

The systems and practices indicated in earlier paragraphs suggest to a great measure a streamlined accounting system, capable of developing skills and insights into organisational objectives and an effective manner of discharging the responsibilities.

Here it is necessary to make a reference to the budgetary practices followed in City Governments. The entire process of budgetary control as at present is very limited in scope and perspective. It is a legacy of the colonial system dating back a century. Its origin is the British Exchequer system which was mainly directed to ensure that no expenditure is incurred without appropriate and sufficient provision being made in the annual budget. Its main concern is the expenditure control and the modern concept of evaluating the performance of the

Executive is not built into the system. Unless the latter aspect is taken into account, the budgetary control exercise will not have desired effect. The systems and procedures discussed earlier will be effective only when these are supported by a streamlined budgetary exercise, which for want of a better term may be called as 'Management Budget'.

Before concluding, I would like to refer to the recommendations of the Administrative Reforms Commission in regard to the introduction of 'Performance Budgeting' in Government. While it must be conceded that there is lot of merit in the adoption of 'Performance Budgeting' as recommended by them, full benefits thereof can be reaped only when a streamlined accounting system together with a responsibility accounting concept is introduced.

Scientific Aspects of Municipal Solid Waste Management

THIS paper will discuss briefly the modern and scientific ways in which the waste disposal problem should be dealt with. Refuse production is believed to be increasing now at about 4 per cent per annum. What to do with these solid wastes, how to dispose of them without needlessly endangering public health and welfare and how to recover and reuse valuable materials now 'thrown away' are among the most challenging and perplexing of current national problems.

Solid Waste Management deals with refuse collection, storage, transportation of refuse for ultimate disposal sites by applying the principles of Environmental Engineering so that the 'wastes' do not contribute to the Environmental Pollution Problem. In the light of new technology, solid waste is looked upon as a national resource rather than a nuisance because now the technology is available for recovering and reusing valuable materials from the wastes, using the waste as a road and building material and for generation of steam by burning it in specially designed incinerators. In Europe such plants are already working satisfactory and a test unit recently installed in Menlo Park, California, U. S. A. has shown promising results. For disposing the solid waste, its physical, chemical and microbiological characteristics should be determined. It is a difficult task firstly because no standard methods are laid down, and secondly the characteristics of the waste are a function of socio-economic status of a particular region, geography, climate and

season. Nevertheless in order to learn how to manage the nation's daily huge volume of discarded solid waste, people are of necessity beginning to learn something about them in scientific terms.

Physical Characteristics

Knowledge of the physical characteristics of municipal waste is necessary as a basis for developing solid waste storage, collection, salvage, disposal facilities and new methods of storage, collection, salvage and disposal.

Municipal solid wastes are classified into two basic categories : to the individual interested in incineration, they are combustible and non-combustible material; to the individual interested in composting and to a lesser degree in sanitary landfill, they are bio-degradable and non bio-degradable materials. These classifications are, of course too broad to provide scientific information on the possible intrinsic values of a particular solid waste or on the recycling of selected categories.

In general, the following nine categories will provide the incinerator, compost or sanitary landfill engineer with the information needed for disposal plant design :

Food waste, Garden waste, Paper Products (Plastics, Rubber, Leather), Textiles, Wood, Metals, Glass and Ceramics, (Ash, Rocks, Dirt).

In American Municipal wastes the content of paper is as high as 62 per cent

but in our municipal wastes, the paper content will be very low because paper is already picked up manually at the collection sites which has a resale value.

Chemical Characteristics

The chemical analysis of solid wastes is very involved and complex. No standard methods exist for use in such studies. This lack is further complicated by difficulty in sampling. Ultimate analysis of municipal solid wastes illustrate that there are seven major components, which are Moisture, Carbon, Hydrogen, Oxygen, Nitrogen, Sulphur, Ash and Metal. Heat value : 3000-6000 BTU/lb.

The Sulphur content is extremely low which should make the solid waste a most desirable fuel from the air pollution standpoint, though its variability in BTU and moisture makes it a difficult to work with.

Planning a Collection System

Refuse from the domestic apartments is collected at suitable sites (municipal dumps), wherefrom it is picked up by municipal trucks to take it to the disposal sites.

Following factors should be studied and considered to permit adequate planning :

- (1) Types of refuse produced, volume, weight, compressibility, and method of separation and storage at origin.
- (2) Number of service steps, quantity of refuse per stop and location of refuse for collection.
- (3) Type and capacity of collection equipment available or to be selected.
- (4) Organisation of crews.
- (5) Topographical feature of the area, street layout, traffic problem.

- (6) Disposal method or methods.
- (7) Type of Zoning.
- (8) Climate.

Disposal Techniques

These days the disposal of solid wastes is carried out in the following ways :

- (a) Sanitary land filling,
- (b) Composting of Garbage, and
- (c) Incineration and then disposing of the ash in land fills.

Sanitary Landfilling

This is a process in which solid waste materials are deposited in cells, crushed and compacted into a dense mass and covered with earth in a carefully controlled sanitary manner. This method is a proven system which when carefully planned and operated is economical and nuisance free.

The filling can be on land ranging from level land to gullies or ravines. In many instances, rough and low value land has been improved by filling. Sanitary Landfill operation requires careful preliminary evaluation of local conditions.

Factors to be Taken into Considerations

- (1) Type of Soil available.
- (2) Drainage.
- (3) Prevailing winds.
- (4) Availability of access roads.
- (5) Possible contamination of ground.
- (6) Leakage of gas into the atmosphere and explosion.

How Much Land Required ?

It is estimated that 1 acre of land per year will be required per 15,000 population, at a refuse 6 ft. deep.

Three Broad Classification of Operational Techniques

- (a) Trench Method,
- (b) The area ramp method, and
- (c) The area fill method.

Characteristics of the Fill

Chemical, bacteriological and physical changes occur in buried refuse. In about 4 days, at 3 feet below the surface, temperature rises to 130 to 150°F. They remain at this point for 60 days and then gradually fall for about 10 months to near air temperatures. It appears that decomposition proceeds slowly.

Some settlement of the fill should be expected and if the desired elevation of the finished fill is known, allowance for setting can be made during construction. Most of the final settlement will probably occur within the first 12 months and by the end of 2 years, most fills have completed settlement. The amount of settling depends upon : (1) Characteristics of wastes, (2) Compaction given, (3) Depth of the fill.

An ultimate settlement of 10-30 per cent is expected at most fills.

Composting

Composting is a process in which organic materials are broken down into humus material for use in agriculture, gardening or the improvement of lawns.

Process : Preparation

- (1) Removal of Non-Compostables—Metals, Glass, etc.
- (2) Grinding or shredding.
- (3) Blending or proportioning of materials.

The processing takes place in a compost plant.

Moisture content should be around 40 to 60 per cent.

Nutrient

Optimum C : N Ratio 30—35 : 1 for speedy bacterial action.

A ratio above 35—40 : 1 will require a considerable increase in compost time. Blending is considered unnecessary when C : N ratio is 25—50 : 1. Blending may be done if loads contain less N₂ (e.g. Paper, Straw, Saw dust, etc.) by combining with loads high in N₂ (e.g. wastes from slaughter houses, fish scrap, blood, etc.)

Under normal conditions of bacterial breakdown, humus is produced from waste organic materials such as garbage or agricultural wastes in 6 months to a year. However, if the wastes are finely ground, adjusted to a moisture content to 50—60 per cent and piled in windrows 3' to 4' across the base and 3' to 4' high, a rapid rise in temperature will be observed. If the windrow piles are turned at intervals of 1-2 days, a pleasant smelling humus or compost is produced in about 10 days. During the period, the material will have passed a low pH or acid stage to high pH stage.

Process

Oxygen from air penetrates into the voids of the material where it dissolves in the liquid moisture films and is carried on to the aerobic bacterial organisms. Large scale composting operation will have to be conducted so that :

- (a) The operation is in a thinly inhabited area,
- (b) Final drying is carried on in areas separated from plants built in inhabited area,
- (c) High stacks are utilized for disposing of the moisture vapours, and
- (d) Moisture vapours produced are re-captured.

Incineration

Design of incinerator requires expert knowledge in this field or else it will cause a lot of air pollution.

Principle features are :

- (1) Charging Apparatus : Mechanical or Automatic.
- (2) The furnace or Primary chamber (Refractory lined).
- (3) The combustion or Secondary Chamber.
- (4) Chimney or stack (Forced draft reduces the Chimney height).

Hand stoked grates will usually burn 40 lb./hr. while the other types will burn up to 70 lb./hr.

Travelling grates are often rated at 300,000 Btu./(hr.) (sq. ft.). Temperature in the bed of burning refuse may reach 2500°F or more. Excess air is required to hold the temperature at 1400-1800°F. Above 1800°F, slag formation may become a problem.

For good incineration, it is necessary to have independent control of the following :

- (1) Rate of fuel consumption or heat liberation.
- (2) The composition of the final gas.
- (3) The flame length which defines the volume in which combustion is taking place.

Sources of Smoke

- (1) Insufficient Air
- (2) Excessive Agitation of the fuel bed
- (3) Volatile matter distilled too far
- (4) Too small or too cold furnaces

Design could be improved by

- (1) Furnace Draft Adjustment
- (2) Type of stoker
- (3) Types of Combustion control.

Advanced Incinerator Concepts

- (1) Slagging incinerators wherein the residue is melted.
- (2) Systems using a fluid-bed principle.
- (3) Systems using the pyrolysis principle.

Pyrolysis appears to be very promising. It is not a waste disposal process but a waste transformation concept. Although some volume reduction is accomplished, the primary effect is to transform a heterogeneous, unstable and difficult to handle material into a low Btu gas and liquid stream and a storable char material.

Salvaging

Whenever possible, recover and reuse valuable materials from the waste. This may not be easy and many projects have been undertaken to do it effectively.

The Livable Environment

THE form of a city is at best the studied expression of its varied functions organized harmoniously in time, in nature, and in space. A good city form must be an expression of our times and our technology. It must be an adoptable organic unity.

One may see city as the centre of an urban culture, the mainspring of human thought and of human achievement. One can find an environment which permits him to develop fully as an individual only in the city. When it is well planned, the city can give each of its inhabitants a choice between privacy and sociability. It can have its open spaces as well as its busy streets where man scurries to his particular urban task conveniently. The city can be full of variety and it can be a centre of excitement and contrast. And at the same time it can give to its people inspiration, stimulation and uplift. These are the positive qualities of urbanism.

The fact that today's cities do not do for us all these things that they can do is indisputable. We have been dissatisfied with the functioning and the environmental qualities of our cities for a long time. Areas that give evidence of planning occupy but a small surface. Disorder predominates. The cities are lacking in coherent relationship and plan continuity. Cities and their surroundings, designed to bring people together for a better life are rapidly succumbing to blight and decay. Today, growth often brings only ugliness. The city becomes more monotonous, impersonal, standardized. Our daily life is conditioned by the turbulent

streets about us. We experience visual beauty rarely. Our aesthetic sensitivity remains unawakened.

Traffic in these cities is one of the major problems. Bullocks and cows may quietly cross the main roads. Rickshaws, buses, handcarts, bicycles, cars, carriages and trucks create insoluble traffic problems. The roads which are already over crowded and narrow at the city centre, become still more so by protruding wooden and bamboo constructions put in front of the more permanent shops. Racks of goods are hung against the walls, the roads are full of people offering their cheap articles displayed right on the pavement or on small folding tables, or carrying them on a tray or in their arms.

To be bluntly truthful, the urban spaces of so many of our towns, mostly of the old parts, are corridors, a maze of illkept lanes and alleys, too dark for photography even on the brightest day. The heart of the town is a jumble of flat-topped roofs, rising two or three stories in crazy tiers of balconies and verandhas. A little distance away, outwards from the business centre, one can easily see innumerable blocks of mud huts and cattlestalls plastered with cakes of the dried cow dung used as fuel.

The central areas generally contain greatest population densities and the least comfortable dwellings. Here, the need of open space is most acute. The few green spots and other places of beauty seem hidden. Most open spaces are

situated far away from the place of residence or in outlying areas of the towns, and therefore, difficult to access for children, the aged and many women all who must remain near their homes. And those who are able to make use of open spaces situated in outlying areas far off from their place of residence, cannot do so daily because of the expanse of time involved to reach those places.

The physical urban characteristics of majority of existing urban areas, more so of the central areas outlined above, indicate that by such an urban environment, the man is neither refreshed, nor inspired or stimulated. And, therefore, the city which is commonly thought as being the focal point for moderation and a change of attitudes, the main spring of human thought and of human achievement, performs this function in present urban environment very haltingly and very poorly. The urgency of the problem is highlighted by the fact that our country is becoming increasingly urbanized. This condition is caused by rapid population growth and by increasingly the industrialization.

What are the alternatives that city dwellers face? Should we look forward to a thinning out of the urban quality—a continuing process that gives neither urban nor rural character? Should we accept unplanned concentration leading to chaos and decay? How the growth of urban areas be made to reflect harmony and beauty rather than discord and ugliness? What might form the basis of future work? Can we plan for some means of curing the present ills and developing future potentials? Can the present urban environment be improved?

Need to Create Humanized Communities

Perhaps the only suitable thing to do, in order to serve our population, our evolving culture and our civilization

is to create a series of humanized communities. Such communities will be organic entities totally different than what we see today—the clinging kind of growth we find attaching themselves to the fringe of so many of our cities.

Now, where should these communities or satellite towns be located? How many should there be? And what should they be like? Obviously, it is impossible to answer here such questions categorically or with any degree of certainty or accuracy. The decisions can be made only after research and analysis, numerous studies of the areas in question, and careful appraisal of all the multitude of factors involved for each of them in the Master Plan. Economics, geography, social and political science and engineering will all have much to do with it. Many solutions will undoubtedly suggest themselves. Then all the findings will have to be coordinated into a sense of order, design and function. But one thing may be said with certainty that these new communities or new towns, should vary. They should vary in size so that they should have distinction; they should fit their terrain because they should have repose and natural character; and they should leave room for plenty of growth. Further, they should be situated near and along the major transport routes, because the communities cannot exist without them. They need free and easy access to and from the central city and between one another.

A new urban planning philosophy for the emerging physical pattern of these communities and towns is essential. This is because the present urban pattern of old town cannot fit the needs of this age without a complete rebuilding. Sasrinen thinks that "many of the growth errors and much of the apparent planlessness of towns and cities is because of the fact that our forefathers lacked vision of our today's requirements. Had they laid the right foundation, most of our present

problems would be much simpler and easier.”¹

The moral is that this generation should not make the same mistakes as our forefathers did. If we plan wisely and take the future into account, our future generation will be grateful and the problems of our children will be easier. Of course our forefathers could not have foreseen the automobile and the electric power we have today. While we are better informed about the factors involved in our problems of environmental control, we too can only guess about future population changes, economic changes or technological changes. However, we are infinitely better off than our forefathers, because we are more aware about the uncertainties in planning and we recognise, as few of them did, that planning must be based on systematic knowledge.

A new urban planning philosophy will be salutary if it fulfils at least the following :

1. A community of completely integrated neighbourhoods.
2. It must be applicable not only to the present but to the foreseeable future. (Plans should be projected for the next 15 to 20 years).
3. Plentiful open space in which the community form and pattern can be set and developed.

A community, as differentiated from the neighbourhood, would comprise of two or more neighbourhoods separated by open or green belt spaces, but connected with secondary streets oriented to elements of vital communal interests usually to a high school, community centre and two or more primary school facilities. Such communities may be contained within the city limits or they may be spread out in the surrounding region.

Such a community should be large enough to have its own sense of completeness, and a reasonable degree of self-sufficiency, but small enough to have unity of its own and a personal image and character. The community may have its own industrial-manufacturing complex, business, shopping and commercial facilities, including schools, playfields, library and community hospital.

Such communities, though could be independent, but would also require and should most certainly retain all kind of cultural and occupational bonds with the central city, on which their destiny would still so largely depend.

Obviously, of course, planning must take the future into account and allow for flexibility in forms and patterns to enable adjustments to new developments. Clearly enough, large areas must be left open for future change and flexible growth. The communities so conceived and planned, will be vital and complete, solid and living and will encourage and foster present day good living.

The Central Urban Area

More than any other part of the community, planning concern the urban centre. More designs are made and books written about this area than any other section. It offers the greatest challenge to planners. Its character reflects that of the city.

The space in the central area is most precious and therefore, buildings in a maze of grey and shapeless masses are filled up near the centre. It is not my intention to argue over this but to point the fact that bricks and mortar alone do not and cannot build a city. Equally, if not more important is to bring in the open spaces, plants, water, sun and shade and all the natural elements

¹ Eliel Saarinen, *The City, Its Growth, Its Decay, Its Future*, New York, Reinhold, 1945, pp. 250-251.

friendly to man in the heart of town. The beauty of the central urban area involves the aesthetic quality of all one sees in moving about, and this goes far beyond the design of individual architectural facades and signs. The heart of the town should be developed in meaningful patterns of structures and open spaces.

"Space Forms" as a New Medium in Planning of Towns

The form of our urban areas, small or large, can be developed only by the planner who can grasp 'space' and 'space forms' as a new medium for human expression. The development of this new language is going on amongst most of the planners. Just as the space-architect sees the house as an articulation of one comic space, so does the space-planner see the whole town. The house becomes an organism in which all rooms are related to each other representing variations of one basic theme. The house becomes a weave of a few basic materials used to define his space forms and so does become the whole town. All the open spaces our towns need, need not be large. What is most needed is something to give a break in the flow of traffic; a change in the relationship between the height and width of the view; a termination or an accent; trees and some color, lawn or textured pavement. We must not forget that all of us are still basically pedestrians. Our towns would be much nicer if there are more un-monotonous places to go. Must the design of our streets and the location of our houses be always so uniform? Same width, same materials, same relationships, everything neatly arranged in a row and parallel. Of course, it is much easier to do that way, because it has been done before. Today, we have rules and regulations that regulate these things quite thoroughly, but they were intended as guides and restraints, not as easy short cuts to design. Rather than to seek primarily to regulate, prohibit and restrict, we must release the

creative impulse in urban designers. Urban design is far more than laying out streets and setting their coordinates or dividing up lots that can be easily staked out. It cannot be clamped within the confines of the conventional gridiron. It is not the planning of each separate lot, street or building, but it is the planning of the whole community to form a co-ordinated entity. It is a three-dimensional art that beyond the obvious necessities, also takes into account the effect of mass, the rhythms of skyline, the modes of shapes, and all other qualities of space give character to the town. Planning activity, therefore, must emphasize the interaction of buildings and landscape, the inter-relation among buildings, the sequence of open spaces and other similar aspects of urban design. These important design elements requires creative attention. No matter how skilful the individual planners, their unrelated efforts can produce only mediocre urban areas with occasional oases of beauty.

From the preceding discussion, one may gather the impression that a town should offer variety and not be monotonous. It is only through this quality that a liable character is achieved. Character in towns has one more dimension. Character in towns, like in people, is physical only in part, and the towns are the people after all. Monotony of inhabitants can be as deadly as monotony of surroundings. A community of like minded souls dwelling in well ordered harmony is a dull place and not compatible with the variety and opportunity of urban life. A town, if it is to be an enjoyable place to live and work, must permit variety. The towns should be planned for all sorts of people. Diversity in unity is the basis of stability.

In conclusion, this paper is an attempt towards underlying some steps and possibilities that are open to us in achieving an urban environment of great vitality, efficiency, beauty and charm. These new steps cannot be called as only solutions. That is too final a word. But, they may also not be called as blue prints.

They point the way out of existing chaos. towns of tomorrow. Our communities are
They will form the basis of our future what we make them. The town's environ-
work and will shape and illuminate the ment will reflect the people that live in it.



JUDICIAL DECISIONS

NAGPUR IMPROVEMENT TRUST v. VITHAL RAO;
AIR 1973 S.C. 689 (Decided on Dec. 11, 1972)

In this case, the petitioner whose lands were acquired under the Nagpur Improvement Trust Act, 1936 challenged the validity of the Improvement Act on various grounds, one of the grounds being that the Act was violative of Article 14 of the Constitution in as much as it empowered the acquisition of lands at prices lower than those which would have been payable if they had been acquired under the Land Acquisition Act, 1894. Under the Improvement Act, the Trust has been empowered (with the previous sanction of the state government) to acquire land under the provisions of the Land Acquisition Act as modified by the provisions of the Improvement Act. As per the modifications the compensation for the land acquired was to be paid not according to the market value of the land but the market value according to the use to which the land was put at the date with reference to which the market value was to be determined under the Act. Further, the owner was denied the solatium of 15 per cent which was provided for under the Land Acquisition Act

The Supreme Court struck down the impugned provisions as violative of Article 14 of the Constitution on the following grounds :

- (i) the owner whose land is acquired under the Improvement Act is paid compensation not according to the market value of the land, but the market value according to the use to which the land was put at the date with reference to which the market value is to be determined in that clause. In other words, if the land is used for agricultural purposes, even though it has a potential value as a building site, the potential value is to be ignored;
- (ii) the owner does not get a solatium of 15 per cent which he would have got if the land had been acquired under the Land Acquisition Act;
- (iii) while the state can make a reasonable classification for the purpose of legislation, the object itself should be lawful and cannot be discriminatory. If the object is to discriminate against one section of the minority, the discrimination cannot be justified;
- (iv) a classification based on public purpose is not permissible under Article 14 for the purpose of determining compensation unless the owner of the land himself is the recipient of benefits from an improvement scheme and the benefit to him is taken into consideration in fixing compensation;
- (v) different principles of compensation cannot be laid if the land is acquired for or by an Improvement Trust or Municipal Corporation or the Government, because as far as the owner is concerned it does not matter to him whether the land is acquired by one authority or the other;

*Compiled by Shri M. K. Balachandran, IIPA, New Delhi.

- (vi) it is equally immaterial whether it is one Acquisition Act or another Acquisition Act under which the land is acquired. If the existence of the two Acts would enable the state to give one owner different treatment from another equally situated, the owner who is discriminated against can claim protection of Article 14;
- (vii) while accepting the contention that in many cases the value of the land had increased not because of any effort by the owner, but because of the general development of the city in which the land is situated, the court pointed out that Article 14 prohibited the expropriation of the unearned increment of one owner while leaving his neighbour untouched; and
- (viii) referring to the reliance on Art. 31-A(i)(a), the court held that the Article had relevance to agrarian reforms and development and had nothing to do with the acquisition of land for building of a capital of a state.

SARWAN SINGH v. STATE OF PUNJAB; (1975) I.S.C.C. 284
(Decided on 1974)

In this case land was acquired for a development scheme of the Ludhiana Improvement Trust under the provisions of the Punjab Town Improvement Act. The provisions of the Land Acquisition Act, 1894 with certain modifications were made applicable for the purpose of acquisition of land for the Trust. As per the modifications a Tribunal was constituted for acquisition purposes under the Improvement Act and the award of the Tribunal was made final. The Act also amended the provisions relating to the fixation of market value under the Land Acquisition Act by prescribing some supplemental principles for determining the market value of the land according to the use to which the land was put at the material date.

The petitioner challenged the provisions under the Improvement Act as violative of Article 14 of the Constitution on the following grounds :

- (i) that there were no guidelines in the Improvement Act itself for determining compensation;
- (ii) that the two rights of appeal which were available under the Land Acquisition Act were denied when land was acquired under the Improvement Act and as such the provisions under the improvement Act were violative of Article 14 of the Constitution; and
- (iii) that there was a clear discrimination when land was chosen to be acquired under the Improvement Act when it could have been done under the Land Acquisition Act and as such there was an infringement of Article 14.

Regarding the first contention the Supreme Court held that since the principles under the Land Acquisition Act had been adopted for determination of the compensation, there were clear guidelines. The court also rejected the contention that the provisions were violative of Article 14 of the Constitution and held that the lands acquired for the Trusts under the Improvement Act could be reasonably placed

under a well-defined category in view of the scheme underlying the detailed provisions in that Act. The court observed :

“Here the object of the Improvement Act being improvement of the town covers a specific, though a wide field as may be evidenced by the elaborate provisions for preparation and implementation of schemes by the Trust under the said Act . . . the government under the Acquisition Act acquire land for public purpose without the preliminary requirements of any schemes for utilisation of the particular land. On the other hand under the Improvement Act there is a statutory obligation upon the Trust first to frame appropriate schemes in which case the matter is likely to take air, and the public as well as the land owners may benefit materially from knowledge of acquisition prior to the actual notification under Section 36 (of the Improvement Act) as against a preliminary notification under Section 4 of the Acquisition Act which appears in the Gazette all of a sudden. This pre-acquisition difference of procedure is significant as the material date for determination of compensation in either case is the publication of notification under Section 36 and Section 4 respectively. This fact is of great relevance as the real grievance in these appeals is against the denial of a right of appeal against the decision of the tribunal appertaining to the domain of possibility of enhancement of compensation in appeal.”

On the above reasoning the court held that “no valid exception can, therefore, be taken to adaptation of the Acquisition Act with modification to suit the requirements of the Improvement Act and in particular the deletion of the provisions of appeal under Section 54 of the Acquisition Act. Acquisition of land under the Improvement Act admit of a reasonable basis of classification and Section 59(a) is, therefore, not violative of Article 14 of the Constitution.”

Regarding the constitution of the Tribunal and making its order final, the court pointed out that the object of such a provision was to avoid delay in the course of litigation to defeat the purpose of the scheme framed under the Act.

The court refused to interfere with the quantum of compensation on the ground that “no case of gross injustice and discrimination has been made out on the facts and circumstances taken into account by the Tribunal.”

**MUNICIPALITY OF BHIWANDI & NIZAMPUR v. M/s. KAILASH
SIZING WORKS; AIR 1975 S.C. 529 (Decided on Sept. 20, 1974).**

The respondent filed a suit against the appellant municipality for the recovery of Rs. 1,00,012 as damages suffered to the respondents' property on account of flood caused by the acts of gross negligence on the part of the appellant. The High Court passed a decree in favour of the respondent for Rs. 54,550 with interest at 6 p.c. per annum.

The business premises of the respondent was situated adjacent to a nallah which was about 45 feet in width. The appellants contended that this nallah which provided for the passage of dirty water and rain water to the creek, was narrowed down by the appellant municipality without making any provision for the passage of additional rain water from the catchment area of a nearby dam which was demolished by the state government. Further, the existence of the centring work and the cement slab across the nallah constituted a grave obstruction against the passage of rain water through the nallah. The respondent also argued that the appellant

neglected and failed to see that the passage of the nallah was kept free and unobstructed by work of construction and debris for providing a safe passage of the rain water during the rainy season. Because of the existence of the centring work in the nallah, the slab, wild shrubs and debris, the water course was completely blocked and this resulted in the flooding of the surrounding area of nallah including the premises of the respondent causing heavy damage to him.

The High Court had found that the appellant had knowledge about the demolition of the dam before narrowing down the nallah and laying down the slab on it, that the appellant with full knowledge of the consequence had narrowed the water passage, put slab on it and did not remove the centring work and that the appellant had allowed accumulation of garbage and debris so as to obstruct the passage of water.

The Supreme Court pointed out that Section 167 of the Bombay District Municipal Act had conferred protection on the Municipality in respect of anything in good faith done or intended to be done and that the expression "done in good faith" under the Bombay General Clauses Act 1904 and in the General Clauses Act meant "done honestly, whether done negligently or not." The court observed :

"An authority is not acting honestly where an authority has a suspicion that there is something wrong and does not make further enquiries. Being aware of the possible harm to other, and acting in spite thereof, is acting with reckless disregard of consequences. It is worse than negligence, for negligent action is that, the consequences of which, the law presumes to be present in the mind of the negligent person, whether it was actually there or not. This legal presumption is drawn through the well-known hypothetical reasonable man. Reckless disregard of the consequences and malafides stand equal, where the actual state of mind of the actor is relevant. This is so in the eye of law, even if there might be variations in the degree of moral reproach deserved by recklessness and malafides."

The court held that the appellant was aware of the possible harm and yet did not care to do anything about it and as such the action was reckless and in the eye of law malafide and therefore unprotected by Section 167 of the Act.

URBAN NEWS

UNION GOVERNMENT

The Union Government has constituted a Central Board under the Water (Prevention and Control of Pollution) Act, consisting of 13 members. The Board will advise Government on all aspects of water pollution, set standards and guidelines for the maintenance of streams, wells, and treatment of sewerage, conduct research and train personnel for checking pollution.

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Keeping the anticipated population explosion in view in the cities, the Union Housing Ministry drawn up a draft plan on national policy for urbanization. The population level, as estimated to increase from 120 million to 278 million over a period of next 25 years. To counter the growth rate, the government has chalked out such policy.

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The Union Government proposes to enact a comprehensive town and country planning (Planning and Development) Legislation. The Town and Country Planning Organization, New Delhi, has been asked to prepare model comprehensive planning law and zoning regulation for the guidance of the states in order to avoid complexities and litigations.

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The Delhi Smoke Nuisance Commission has been set up by the Union Government in order to check pollution in the Union Territory of Delhi. The Commission's main function is to supervise and control the working of the Bombay Smoke Nuisance Act as extended to Delhi. The membership of the Commission includes a President and 12 nominated members. It has another 12 members on it, elected or nominated by the directly effected organization due to working of the Commission.

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An expert group met recently and urged the Government to adopt a national policy resolution and take finance, technical, administrative and political measures to increase the capabilities and effectiveness of central, state and municipal bodies to pursue the strategies enumerated in the urbanization policy. The group further stressed in the resolution that a minimum resources commitment should be accepted in the five year plans so that the emergent urban problem get continuous attention.

STATE GOVERNMENTS

Andhra Pradesh

The State Government has amended the Hyderabad Municipal Corporation Act recently. The amendment includes representation of 33 ex-officio members in the Corporation consisting of Members of Parliament and Members of State Legislature in the Corporation area in addition to the elected members.

Bihar

The State Government has appointed a Municipal Finance Commission to find out ways and means to improve the financing conditions of the urban local bodies and submit the report within six months. The Commission has 12 members.

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Gujarat

The Water (Prevention and Control of Pollution) Board has been constituted by the State Government on October 1974 in accordance with powers conferred by Section 4 of Water (Prevention and Control of Pollution) Act, 1974. The Board consists of 17 members including officials and non-officials.

The State Government has sanctioned a sum of Rs. 4 crores to the Bhavnagar municipality to improve Water Supply to the town.

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Haryana

The State Government has amended Octroi rules recently. It has withdrawn all concessions in Octroi and revised the Octroi rates.

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Madhya Pradesh

The State Government has constituted a 16 members Board for Prevention and Control of Water Pollution. The Board is headed by the Superintendent Engineer, Public Health Engineering Department.

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Rajasthan

The State Government has converted eight panchayats into municipalities. The number of municipalities in the state now totals to 164 including this conversion.

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Uttar Pradesh

The State Government has issued an Ordinance to provide for direct elections of Mayors and Chairmen of civic bodies in the state for a period of five years. No confidence motion will be barred for two years but if a Mayor loses majority support within this period, approval of the state government will be needed to decisions of the Council which the Mayor may consider against public interest.

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A 60 crore schemes has been prepared to improve water supply and sewerage in the KAVAL Towns, hill areas and Bundelkhand region. The World Bank is

expected to advance a loan of Rs. 30 crores on easy terms, the LIC Rs. 20 crores and the rest Rs. 10 crores will be borne by the State Government.

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West Bengal

Two Bills have been introduced in the State Legislature. Under one Bill, the rate payers can deposit their bills in any of the Nationalized Banks and will be provided with a pass book by the Corporation, which will be stamped on depositing the money. In the second Bill, the Deputy Municipal Commissioner and some other senior officers have been authorized to hear assessment cases.

CITY GOVERNMENTS AND SPECIAL AGENCIES

Delhi

Shri Kedar Nath Sahni, the Mayor of Delhi Municipal Corporation has resigned, after his party lost majority in the Corporation. This was due to the resignation of Jan Sangh Councillors from the party.

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The Jan Sangh ruled Delhi Municipal Corporation has recently been superseded by the Union Government for one year after issuing a show-cause notice.

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N.D.M.C.

The New Delhi Municipal Committee has chalked out a package education programme specially geared to the capital's under privileged both children and adults. The plan is expected to be finalized soon.

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Hubli-Dharwar

The corporation has drawn a scheme to improve water supply at the cost of Rs. 8 crores. The Life Insurance Corporation has been approached to contribute Rs. 4 crores as loan to the scheme.

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Jabalpur

The Town Planning Department has recently undertaken revision of Master Plan and detailed Town Planning Scheme for a few selected area which was prepared in 1954. The layouts of number of places have been finalized and some environmental improvement schemes are being implemented.

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Lucknow

The Lucknow Corporation has launched a housing construction scheme at a cost of Rs. 2.05 crores under its 'Operation Poor' Project. Under the scheme 4000 developed plots of 600 sq. ft. will be sold to poor people on easy terms. Under another scheme the corporation is contemplating to built 855 houses of one to three rooms for the poor.

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Madras

The supersession of Madras Municipal Corporation has been extended for a further period of one year.

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Simla

The Town and Country Planning Organisation has drafted a master plan for the urban renewal of Simla and recommended the redevelopment of self-contained semi-independent district around Simla. The plan recommended constitution of a statutory development authority to implement the plans after its approval. The plan emphasised to preserve the scenic beauty of the area and take immediate action against the encroachments in the forest for the building activities. The plan further recommended that each self-contained urban unit in the hierarchy is aimed at keeping the density at an average of 75 persons an acre in residential areas. It was suggested that keeping the tourist inflow, development of tourist oriented activity including hotels, tourist camping sites at appropriate places should be given effect to under the plan.

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Delhi Development Authority

The Delhi Development Authority has planned to accord the individual house-builders of average means, land for building their houses in Delhi. Under the plan the D. D. A. would develop land and dispose them of to the individuals for house building purposes.

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Housing and Urban Development Corporation

The Corporation has given a loan of Rs. 8.63 to CIDCO (Maharashtra) for construction of houses at Aurangabad and Tarapur.

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Life Insurance Corporation

The Life Insurance Corporation has extended a loan totalling over Rs. 90 lakhs to civic bodies in Maharashtra state to boost up its water supply and drainage schemes.

The Life Insurance Corporation has sanctioned a loan of Rs. 2.5 crores to Calcutta Corporation for construction of a commercial complex.

NEWS FROM TRAINING AND RESEARCH CENTRES

NATIONAL CENTRE

The National Centre organized three training courses for the benefit of officers of Urban Local Bodies.

(1) *Valuation and Assessment for Property Taxation (October 7-19, 1974)*

The course was first of its kind to educate the course participants about the important need for specific codes, rules, norms or standards for valuation of property which is absent in most of the Urban Local Bodies and other facilities for training of these technical officers. Prof. Deva Raj, Director of the National Centre, was the Course Director. The course participants were 20 in number.

(2) *Fourth Course on Laws in Municipal Administration (November 18-20, 1974)*

The purpose of the course was to familiarise senior municipal officers with the legal aspects of municipal administration and to expose them to the principles underlying municipal laws and other enactments having a bearing on municipal administration. The course was directed by Shri M. K. Balachandran of the Centre. There were 28 participants.

(3) *Municipal Tax Structure and Administration (December 9-31, 1974)*

The course was organized with the objective : (a) to emphasize the vital role of municipal taxation in enabling the municipal authorities to be self-reliant, (b) to examine the scope for optimizing municipal tax structure keeping in view the principles of equality, (c) to attempt streamlining municipal tax administration so as to make it economical, effective, and (d) to identify problems of tax structure and its administration and attempt for their solution. Fifteen officers of different urban local bodies participated in the course. Shri A. Datta of the Centre, directed the course.

Apart from these courses, the Centre organized two seminars.

(1) *State Municipal Fiscal Relations (November 15-16, 1974)*

The seminar was inaugurated by Shri Mohan Dharia, Union Minister of State for Works and Housing and was presided over by Shri Kedar Nath Sahni, the Mayor of Delhi. While speaking in the seminar Shri Dharia stressed on formulation of a National Development Policy, and relaxation in building bye-laws to facilitate house-builders and suggested that the financial positions of the Urban Local Bodies should be improved and state governments should constitute Municipal Finance Commissions. He also laid emphasis on increasing municipal taxes on land development and ceiling on property for balanced development of cities. The participants included government officials, representatives from specialized institutions and experts on the subject totalling to 54 in number.

(2) *Primary Education Under Municipal Corporation (January 28-30, 1975)*

Shri Krishan Chand, Lt. Governor of Delhi inaugurated the seminar and Shri Kedar Nath Sahni, Mayor of Delhi also addressed the participants. The participants discussed the problems connected with education in different Municipal Corporations. The seminar was attended by representatives of specialized institutions, experts and government officials connected with the subject. Sixty participants took part in the deliberations of the seminar.

LUCKNOW

The Regional Centre conducted three short-term training programmes of three days' duration each on municipal budgeting. The first course was conducted from February 18-20, 1975 the second from February 22 to 24 and the third from March 3 to 5, 1975. The subjects covered under these programmes were : (i) Municipal Budgeting Procedure, (ii) Budget as a tool of financial control, (iii) Capital Budget—Principles and Procedure, and (iv) Budgeting for Development. The participants were encouraged to prepare realistic and balanced budgets of the local bodies concerned. In total eighty-six officials drawn from various local bodies of U. P. participated in the courses.



BOOK REVIEW

PANCHAYATI RAJ IN KANGRA DISTRICT by S. BHATNAGAR, Orient Longman, 1974, pp. 226, Rs. 30.00.

Introduction of Panchayati Raj has undoubtedly been a landmark in the organisation of rural politics, as well as of the programmes of socio-economic development in the countryside. This institution naturally attracted the attention of social scientists. Definition of the problem and methodology, varied according to the perspectives of the different branches of social sciences. Here we are concerned with the perspective of Political Science (including Public Administration) under which the book under review can be classified. Traditionally political scientists evaluated the local government institutions in terms of 'targets' or objectives fixed by the higher levels of governmental institutions. This approach also included discussion on the legal composition of local institutions, their financial resources, personnel problems and control of higher institutions. The detailed analysis of decision-making and the tensions in the working of these institutions were often excluded systematically. 'Politics' of local government was a taboo for the political scientists. Modern political analysis, on the other hand, emphasizes the usefulness of the decision analysis within the overall institutional framework.

The book under review promises to examine the Panchayati Raj institutions from the behavioural point of view, but remains satisfied with the formal institutional approach in the description as well as in analysis. This becomes clear as soon as one proceeds from the Introduction. After two chapters on 'Democratic Decentralisation' and 'Legal Frame of Panchayati Raj' the seven chapters include discussions on the different levels of the Panchayati Raj set-up, *i. e.*, the Gram Panchayat, Gram Sabha, Panchayat Samiti, and the Zila Parishad. Except the socio-economic background of elected representatives and responses to highly selected responses (the appendices do not include the questionnaire used), the rest of the discussion is on the formal working of the institutions.

The background of the representatives reveal a most interesting pattern : "...as one moves from the road-side village towards interior, one finds the hold of traditionally privileged classes getting less and less significant" (p. 36). This trend is further strengthened by the finding that "the Gram Sabha has been more successful in the interior-most villages than the road-side villages." (p. 223). These findings tend to lead towards a disturbing conclusion about the impact of modernization on the social process. Better communication seems to have resulted into advantage to the privileged castes, and as a long-term effect the author's conclusion is that with increasing influence of modernisation "ultimately the concept of participatory democracy may lose its force and significance." (p. 224). This is a significant conclusion which should have been substantiated by more sophisticated data and extensive analysis.

Another interesting comparison brought out by the author is between the Panchayat and the Samiti leadership : "From the social status point of view, compared with pre-Independence days, the leadership of the Gram Panchayat has to a large extent changed from traditionally privileged classes to the non-privileged classes. (But) ...one finds that the leadership at the Samiti level is held by the traditionally privileged class. This is further corroborated by the fact that the chairmanship of all the

Panchayat Samitis is still monopolised by this class." (p. 126). The pattern of leadership at different levels and its resource-base should be discussed and explained in terms of the distribution of statutory powers between different levels of the Panchayati Raj set-up; classes and castes having access to larger resources would naturally be interested in institutions having real powers. A detailed analysis of leadership in the Zila Parishad would have helped the comparison.

In his discussion on the working of the three tiers, the author relies on the records of these institutions. The indicators for evaluation are chosen from the government reports rather than from the stock of social sciences. Few examples would illustrate the point. The author repeatedly emphasizes the frequency of meetings and attendance of members as indicative of activity/inactivity of institution and extent of participation by members. Such indicators have been found inadequate by social scientists. Similar approach is found in the discussion on the financial position of the institutions.

Having observed the working of these institutions at close quarters, the author should have utilised his insights in the dynamics of decision-making. It is, for instance, mentioned that there was a controversy at Nadaun regarding the location of Panchayat Samiti headquarters (p. 171), but this case is disposed of most casually. Another interesting case is about the working of the Hamirpur Block where "the majority group in the standing committees No. III did not see eye to eye with the group of Samiti Chairman" (p. 175). Again the case is not discussed any further. Later we are told that the "command of Zila Parishad, Kangra, has so far been held by two gentlemen. Both happened to be men of high calibre." (p. 190). It would certainly have helped the reader's understanding of the Kangra Zila Parishad, if he would have known more about the "two gentlemen" and their election to the office. The author does not seem to be interested in these details of 'politics'.

The best example of the highly formal approach is evidenced in the discussion on the problems of personnel. In fact anyone familiar with the literature on Community Development Programme in India, published during 50s and 60s (the bibliography at the end of the book does not have any reference dated later than 1967), will hardly find anything new in the book. The author talks about the 'tensions' between the government officials and the elected representatives. But again actual cases are not discussed, though several most interesting instances are mentioned in different chapters. (pp. 182, 191 & 201). The impact of bureaucratic culture is also evidenced in the suggestions which come forward in course of the analysis. For instance, the author suggests that "In view of the tensions in the relationship between the secretary and the deliberative wing (*i.e.*, the Zila Parishad) or,.....the status of the former may be raised so that more talented men may be able to fill this office." (p. 193). Will the enhanced status reduce tensions? If the 'new man of power' in the deliberative wing insist on their formal position, the occasions of conflict with the more 'talented' secretaries of higher status, are likely to increase. One is not sure whether the tensions are because of higher status or lack of it. Contradictions like these have not been discussed by the author, because many of his remarks (which sound like conclusions) are not substantiated by any data. For instance, the statement that the "involvement of the members of the Zila Parishad in politics presents a contrast to the leadership at the village level which is to a very large extent neutral" (p. 189), is not supported by any details. The author's conclusion about the effectiveness of the Zila Parishad that "as a coordinating agency the Zila Parishad office had not been working efficiently" (p. 216) is not based on any discussion. Again the author concludes that "factionalism is still another weakness of the elected leadership in

Panchayati Raj institutions. No other single factor has done so much harm as this" (p. 226), though factional conflicts in the Kangra district and its impact on programmes the Panchayati Raj institutions are responsible for, is not discussed at all in the book. The nature and role of factions has attracted the attention of political scientists, sociologists and anthropologists, who have contributed sophisticated analysis of the phenomenon in the Indian context. The author does not seem to be interested in these analyses.

In conclusion one may say that though the book claims to be a micro-study of one district of Himachal Pradesh, it does not provide the details about the working of Panchayati Raj institutions in that area : it could pass on as a study of any other district in Punjab. Unless the analyst attempts to relate the performance of local government institutions, to the contextual factors of their physical location, much of the value of a micro-study is lost.

The book, nevertheless, is useful as a complete and detailed study of local government in Himachal Pradesh (Kangra was a part of Punjab when the study was undertaken). The readers will readily join Prof. B. S. Khanna (in the preface) in congratulating the author for his lucid style.

When will Messrs Orient Longman produce better volumes—at least those which carry the 'dowry' of publication-grant from the governmental and quasi-governmental institutions? The publishers have done the minimum job in spite of the fact that the University Grants Commission met the full cost of the publication of this book.

S. N. JHA

*Scheme of Administrative Decentralization of Baroda Municipal Corporation**

1. Need for Reorganisation

The existing system of city administration dates back to the periods of Gaekwads. It has remained unchanged since 1930's. The system devised for 1930's cannot obviously cope with the present problems.

There are two sources at which the functions of the City Government are carried on :

- (i) The Central Office, and
- (ii) The Ward Offices.

There are six administrative wards with five Ward Offices. The functions that are carried out from the Ward Offices are :

- (a) Revenue Administration under the Ward Officer.
- (b) Sanitation and Conservancy under Sanitary Inspector.
- (c) Minor Engineering works under Unit Overseer.

All these works are not coordinated in the Ward Offices. The Ward Officer has no control over the Sanitary Inspector or Unit Overseer. The Ward Officer looks up to Asstt. Municipal Commissioner (Rev.) in the Central Office for guidance and Sanitary Inspector looks up to the Health Office, and the Unit Overseer looks up to the Road and Traffic Engineer in the Central Office. These three Heads of the Department in the Central Office can coordinate the work themselves or in turn can look up to the Municipal Commissioner for coordination. It would therefore be obvious that the organization set-up at the Wards at present is such that coordination is not possible at Wards but only at the Central Office.

All functions except the functions mentioned under the Ward Offices are carried from the Central Offices. This means that most of the functions being centralised at the Central Office, a citizen has to look at the Central Office for redressing his grievance.

There are three fields of Corporation's functions which are basic functions of the Corporation and which impinges on the public maximum. These fields are :

1. Road Maintenance.
2. Water Supply & Drainage.
3. Sanitation & Conservancy.

**By Courtesy : Municipal Commissioner, Municipal Corporation, Baroda.*

The efficiency of the Corporation's working is judged by a common man on the street in respect of these fields and not in respect of such important functions such as Housing, Town Planning, Gas Project, etc.

It is mentioned above that the functions of the City Government with respect to the above three subjects are carried out from the Wards partially and in a non-coordinated manner. Apart from this, the problems in each ward has increased manifold. Hence, the need of reorganization of ward administration.

2. The Proposed System of Objectives and Conceptual Framework

The objectives of the proposed system is to provide maximum services with least delay in respect of three basic fields of City Government mentioned in para 1.

Let us examine how these objectives can be fulfilled :

- (i) In order to give maximum services in respect of the three basic functions, most of the basic functions should be taken away from the Central Office to a place near to the common man, *i.e.*, Ward Offices.
- (ii) In order to give services with least delay, there should be adequate coordinated functions at wards and adequate delegation of powers to the wards. A corollary from this follows that there should be effective supervision of the functions of the Ward Offices. Another corollary follows that the problems of the wards should be of such magnitude as to make it easily manageable, *i.e.*, the size of ward should be manageable.
- (iii) It follows logically from (i) and (ii) that there should be a different type of organizational set-up for taking up the above task.

Hence, the following conceptual framework :

- (A) It is proposed to have three-tier system :
 - Central Office,
 - Zonal Offices, and
 - Ward Offices.
- (B) Each zonal office shall be under an Asstt. Municipal Commissioner with full powers of the Commissioner in respect of the functions to be carried out from wards. He should be responsible for supervision, control and coordination of wards under his jurisdiction.
- (C) The city shall be divided into adequate number of wards of adequate size. The ward administration shall be under a Ward Officer who shall have under him three departmental officers, *i.e.*, Revenue Officer, Officer for Sanitation and Conservancy and Officer for Engineering works. The Ward Officer shall be delegated requisite powers to enable him to carry on effectively his duties.

The organization set-up, the duties and functions, the powers to be delegated, the geographical limits of zones and wards, etc., given in the accompanying appendix in Volume 2 of this report.

3. Wards and Zones : Geographical Delimitation

The number of wards at present is six and the population according to 1971 census wardwise is given below :

1. Sayajigunj	1,09,772
2. Raopura .	82,600
3. Potehpura	53,500
4. Shafer (city)	49,500
5. Wadi	1,02,000
6. Babajipura	82,110

The number of wards proposed to be eight. The guiding factors in determining the proposed ward limits are taken as given below :

- (i) Population and area.
- (ii) Natural boundaries.
- (iii) As far as possible, an attempt shall be made to keep an election ward completely within an administrative ward, *i.e.*, an attempt shall be made to have minimum number of election wards split over more than one administrative wards. This shall help the elected members in coordinating their work with one Ward Officer only.
- (iv) Apart from the above three principles, it has also been attempted to keep Census Blocks intaked.

Keeping these principles in mind, the city has been divided into eight wards as given in the map in Appendix 1. Because of principles (iii) mentioned above, number of election wards split has been reduced from present number to only four, *i.e.*, election wards 1, 15, 16, 12. This is shown in Appendix 2.

The proposed wards with their area and population are as given below :

<i>Ward No.</i>	<i>Area in sq.km.</i>	<i>Population</i>
1.	0.6472	58.850
2.	11.6505	62.206
3.	9.5783	78.078
4.	20.4208	24.420
5.	4.9191	64.850
6.	25.0825	33.006
7.	21.0647	77.404
8.	5.4369	78.508
		<hr/> 4,78.422

The exact description of the wards is given in Appendix 3.

The city has been divided into two zones : **North and South.** Area and

population of each zone approximately is given below :

<i>Zone</i>	<i>Area</i>	<i>Population</i>
North	39 sq.km.	3 lakhs
South	58 sq.km.	2 lakhs

The principles in dividing the area of the zone is same as the principles taken in deciding the wards. Each zone comprises of four wards and the composition is shown in Appendix 7.

4 Location of Zonal Offices and Ward Offices

The existing Ward Offices are inadequate to house the proposed staff. In course of time, the Municipal Corporation shall have to think of putting up new office buildings. It would be necessary right from now to plan such buildings. It would be noted, in passing, that in course of time these offices could take care of the proposed Zonal Councils as suggested in the All India Council of Mayors. However, for immediate implementation of the plan, the following buildings are suggested for Ward Offices :

<i>Ward</i>	<i>Office Location</i>
1.	The present city ward office and the old city ward office. Old city ward office shall be a store.
2.	Existing Sanitary Office in Fatehpura shall be altered as required. The Malaria Office behind this building shall also be used after alteration.
3.	The present Wadi Ward Office.
4.	The Commercial Centre at Makarpura Industrial Estate.
5.	Shiyabaug Drainage Store.
6.	Old Sayajigunj Ward Office and Unit Office.
7.	Present Sayajigunj Ward Office.
8.	Either Road Store Office or Rain Basera.

The existing buildings have to be altered suitably. The City Engineer and Asstt. Municipal Commissioner (Rev.) shall personally visit the sites and carry out the necessary alterations.

The Zonal Office shall be located centrally in each zone. The following principles shall be kept in mind :

- (i) It should be easily accessible.
- (ii) It should be such that the Zonal Office can effectively go round in zone, and
- (iii) It should be combined with a Ward Office in the same building.

It is, therefore, suggested that the offices shall be as given below:

Zone

Office

North

Ward Office No. 8

South

Ward Office No. 5

5. Functions at Wards and Zones

Zonal Functions

The functions of the Zonal Office shall be to supervise and control the functions of wards falling under his jurisdiction. In order to have proper control and supervision, it is desirable that the Zonal Officer should spend most of his time in going rounds to the wards and getting himself acquainted with the ward problems. He shall be, to all practical purposes, Municipal Commissioner in respect of his zone.

The work, the Zonal Office shall be doing in his office is issuing new licences.

The workings of the Zonal Offices and Zonal Officer shall be regularly supervised by Municipal Commissioner.

The detailed functions of the Zonal Officer shall be given in the handbook.

Ward Functions

The ward functions shall be in the field of

- (i) Engineering,
- (ii) Sanitation and Conservancy, and
- (iii) Revenue.

The detailed description of these functions are given in Appendix 5. These functions shall cover most of the problems a citizen faces in respect of these three fields.

The functions of the Ward Officer and other subordinate officers shall be given in detail in handbook.

6. Organizational Set-up : Wards and Zones

Ward Organisation

In order to carry out the functions mentioned earlier, the ward organization shall be broadly the Ward Officer at the top assisted by a Jr. Engineer in respect of the Engineering work, a Sr. Sanitary Inspector in respect of Sanitation and Conservancy, and a Revenue Officer in respect of revenue matters. Each of the subordinate officers shall have adequate staff to carry out the duties. Keeping in view, the functions to be carried out in wards, a typical ward organizational set-up is given in Appendix 5 & 8.

Zone Organization

As mentioned earlier, the Zonal Officer should have less work in the Office and more work in the field. With a view to this, he is given a small set-up consisting of a stenographer, a clerk and two peons. This is given in Appendix 8.

7. Powers of Zonal and Ward Offices

To carry out effectively the functions, the Zonal and Ward Officers should be given adequate powers. The Zonal Officer shall be deputed powers under Section 49. This is given in Appendix 8.

The Ward Officer shall be delegated powers under Section 69 of the B. P. M. C. Act, 1949.

8. Qualification, Recruitment and Training of Zonal Officers and Ward Officers

Asstt. Municipal Commissioner (Zone)

Mode of appointment, qualifications and training shall be as given in Appendix 9. This will ensure in getting fresh outlook into Corporation and better training of the Zonal Officers. The qualifications, etc., are such as to attract best people in the field.

Ward Officer

A mode of appointment, qualifications and training shall be as given in Appendix 10. This will ensure, in getting fresh outlook into the Corporation and better training of the Zonal Officer. The qualifications are such so as to attract best people in the field.

9. Financial Implications of the Proposed Reorganization

Attempt has been made to pool in required manpower resources from various existing departments of the Corporation. Creation of new posts has been kept minimum possible, the additional annual expenditure in the proposed reorganization, due to creation of new posts, shall be to the tune of Rs. 9 lakhs. This is shown in Appendix 11. It may be noted here that the earlier proposal of the Commissioner submitted to the Standing Committee and General Board in February 1972 had a financial implication of Rs. lakhs of rupees per year, the proposed system therefore cuts down the figure by almost half.

10. Miscellaneous

At present, Bills of House Tax are being served annually by peons of the Corporation. Very shortly, proposal shall be made for serving such bills through post. This would result in saving some manpower, a fact that has been taken care of in the proposed system.

It may also be noted here that in the existing system the House Tax, etc., are collected at Ward Offices. Very soon, proposal shall be made to collect taxes through Bank. This shall rationalise the collection work. However, above two proposed changes shall not affect suggested reorganization for immediate implementation.

11. Multi-Service Centre—A New Concept

It has been the experience in the city that a common man does not get easily services of a suitable person when his tap is leaking, his water is choked or overflowing, his electrical system is out of order, or he cannot afford an architect to prepare a plan. In order to fill up these immediate gap it is proposed to have a Multi-Service Centre in each Ward Office with following personnel :

1. An Electrician,
2. A Plumber, and
3. Building Inspector.

Any member of the public in need of these services can ring up a particular specified number and ask for particular service. Nominal charge shall be made for rendering the service. If the service is given at the residence of the caller, the charges shall be more. In some cases, the services shall be absolutely free. Proposal for such centres shall be made independently in due course.

IMPLEMENTATION

1. Given below are the Ways and Means of Implementing the system

The entire system shall come into operation on 1st January, 1975. However, before the entire system comes into operation, it would be desirable to test the system on an experimental basis to find out its merits and demerits. During the testing period, the effects of the system should be observed and rectified by a constant conference every week once of the following team :

1. Municipal Commissioner,
2. Asstt. or Dy. Municipal Commissioner,
3. City Engineer,
4. Medical Officer of Health,
5. Ward Officer of an Experimental Ward,
6. Asstt. Municipal Commissioner (Zone) of the Experimental Zone, and
7. Any other officer to be included by the Commissioner.

2. Pilot Scheme

With a view to test the system experimentally, it is proposed to start Pilot Scheme. Under this scheme, only two wards shall be started with the proposed staffing pattern and other things. The office of one of the Zonal Asstt. Municipal Commissioner shall also start. It is proposed to take up the following two wards,

viz., Sayajigunj North and Sayajigunj South. This would not disturb the existing system. While the Pilot Scheme goes on in these two wards, the existing system shall continue in other wards so that there shall be a scope of comparing the proposed and existing system.

It is proposed to start the Pilot Scheme on

3 Training

The Ward Officers and Zonal Officers as well as their staff should be given some sort of training for fifteen days to take up the new type of job. Therefore, it is proposed to start the training on.....



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Aware of the crisis situation threatening many towns and cities which have been unable to provide all the necessary basic services and facilities and are faced with problems of unemployment, pollution, congestion, slums and squatter settlements, inadequate transportation, social alienation and crime;

Conscious of the further deterioration in the quality of life and the conditions of human settlements, especially of the most deprived groups of the population nationally and internationally, which can be expected as a consequence of the combined factors of population growth, economic and monetary imbalances, food shortage, inadequate natural resources and increased pollution;

Is of the opinion that there should be a world-wide commitment supported by all people, their local authorities and national governments for the implementation of basic standards for all human settlements, making them into places of human dignity and well being;

Welcomes the planned UN Conference on Human Settlements, HABITAT, as a unique opportunity for focusing world attention on the problems of human settlements and giving an impetus to concerted actions for their solution;

Encourages IULA in its support of HABITAT and invites IULA members to take an active part in its preparation to ensure that the voice of local government is heard at this important world forum;

Calls upon national governments to initiate :

- the adoption of national urban policies to bring about a better distribution of population and economic activities;
- the establishment of development policies for appropriate areas based on comprehensive social, physical, economic and environmental planning;
- the strengthening of the powers and resources of local authorities, as well as the establishment of planning procedures so that local government may become a more equal partner in the development process;
- the encouragement of the participation of citizens through their local authorities in the making and implementation of decisions affecting their environment;

Urges the governments of developing countries to take measures to stem the tide of migration to urban areas by raising the quality of life in rural areas; and draws attention to the value of rural development programmes which aim at extending areas of modern agriculture, the promotion of local crafts and small

industries, the diversification of productive activities and the provision of basic facilities, such as clean water, sanitation, electrification and roads, as well as educational, cultural and social opportunities;

Recommends the governments of developing countries to establish reception centres where new migrants can be helped to adjust to the urban environment, as well as serviced sites on which self-help housing can be constructed;

Advocates that the governments of developed countries give urgent attention to the rehabilitation of deteriorated city centres, and to halting increased suburbanization which is wasteful of land and energy resources, can add to the multiplicity of governmental jurisdictions and tends to impoverish and degrade the natural environment;

Convinced of the need for an increased exchange of knowledge concerning practical local government matters, the Congress requests IULA to explore the possibilities for creating a centre for documentation and information on municipal technology in the widest sense of the word and to study, in cooperation with the Iran Municipal Association, the conditions for establishing such a centre in Iran;

The Congress appeals to local governments everywhere to work towards the creation of a feeling of community based on the respect for individual human beings.

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Prof. V. Jagannadham

Director, Indian Institute of Public Administration,
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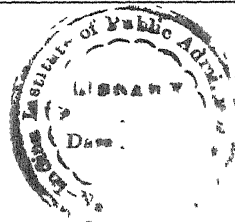
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OUR CONTRIBUTORS

Prof. DEVA RAJ is Director of the Centre for Urban Studies, IIPA, New Delhi. Dr. MOHIT BHATTACHARYA is Reader in the Centre for Urban Studies, IIPA, New Delhi. Shri N. ASHIRWAD, Head of the Department of Political Science, A.M.A.L. College, Anakapalle (A.P.). Shri TAPANENDRA SEN is working in the Legal Branch of Calcutta Metropolitan Planning Organization, Government of West Bengal and Shri PARTAP SINGH is teaching Political Science at University College, Kurukshetra.

Administrative Issues in Integrated Planning and Development with Special Reference to Madras-Chingleput Region

UNDER the Third Five Year Plan, the Government of India, provided 100 per cent assistance for town planning. This gave an impetus to the preparation of Master Plans for a large number of towns and cities. Some of the state Town Planning Departments have also prepared regional plans. Most of these plans, however, have failed to take-off because, (a) the economic planners did not take any cognizance of physical planning, and (b) these plans were not backed in most states by appropriate legislation and administrative infrastructure to undertake positive implementation.

Planning Regions and Regional Authorities

Two steps taken by the Government of Tamil Nadu have, if pursued to their logical ends, far-reaching implications for planning and development administration. The *First* is the delineation of the State into planning regions. As per Census of 1971 there are 14 districts with 147 Talukas in the State, which have been regrouped into eight Planning Regions sometime cutting across district boundaries.¹ *Secondly*, Chapter II of the Tamil Nadu Town and Country Planning Act, 1971 makes provision for setting up local and regional planning and development authorities as well as new town development authorities where considered necessary.

The question, however, is whether these steps will lead to a rational pattern of space allocation bridging the gap between economists, who neglect problems of space and physical planners who ignore the economic factors. Will it make for an administrative system and overall budgetary approaches that alone can ensure an integrated rural urban development. While there is general agreement on these objectives which have been set out again and again in the National Plans, the administrative and organisational implications of these policies have hardly been assessed or appreciated so that far from attaining integrated development and growth, imbalances have only been intensified. This paper seeks to analyse these implications with reference to the Madras-Chingleput region.

Madras-Chingleput Region

This region consists of the Madras City, the Chingleput district and parts of the North Arcot and South Arcot Districts. The Regional Plan identified four sub-regions, viz., the Madras metropolitan area, the Central sub-region which is more developed than the relatively backward Southern and Northern Sub-regions. The following statement gives some indices of the comparative stage of development of the different parts of this region in 1971.

¹ Madras-Chingleput Region, a Draft Regional Plan, Directorate of Town Planning, Tamil Nadu, page 6. This publication is the source of most of the data cited in this paper.

	<i>Madras City</i>	<i>Madras Metro Region</i>	<i>Rest of Madras- Chingleput</i>	<i>Total Region</i>
Area in Sq. Kms.	128	1156	1209	13393
Population in Lakhs	24.7	34.75	33.79	68.54
Density	19292	3008	276	577
Urban Population in Lakhs	24.7	31.7	4.6	36.3
Percentage of Urban	100	89	14	53
Number of Towns	1	58	25	83
Growth Index of Urban Centres (1901=100)	—	1124	263	580
Industrial Units	586	862	38	900
Industrial Workers Percentage	27.41	35.69	14.31	100
Number of Banks	185	218	64	282

The pronounced disparities between the Metro and the non-Metro areas are only too obvious—what is more surprising is that the non-metro areas of this region are the most backward in the State as a whole. The three sub-regions put together have only 14 per cent of the population as urban in 1971 as against the state average of 30 per cent. The index of the growth of urban Centres in this area (1901=100) was only 263 as compared to 329 for the state as a whole and 1124 for the Metropolitan sub-region. The imbalance is much greater in the southern and northern sub-regions.

The Madras-Chingleput Regional Plan forecasts a population of 100 lakhs for the entire region by 1991 out of which 53.4 lakhs or 53.4 per cent of the total is envisaged to be located in the Madras Metropolitan area. Not only will it give a higher percentage of Metropolitan area. Not only will it give a higher percentage of urban concentration but would add in

absolute terms 19 lakhs of people which is more than the total population of Madras in 1961. Under the present approach to urban planning and the existing administrative and policy framework the sights of the physical planners are inevitably limited. A bold approach is, however, needed to shake off the fixation of normal projection of growth and to change the course of urban concentration by new locational decisions in respect of socio-economic activities with a balanced hierarchy of human settlements diverting the pressure on the metropolism so that the share of the Madras sub-region is progressively reduced to less than 40 per cent by 1991. Can these objectives be achieved within the existing administrative framework with its decision making processes and planning and budgetary procedures ?

The Administrative Scene

A quick look at the administrative landscape of the region shows up an

assortment of local authorities and governmental agencies at work. Apart from the district and block level officers working under the control of the individual specialised departments and looking to the State and even Central Ministries for all instructions, decisions and allocation of funds, there are a number of statutory and non-statutory agencies, the most important being the 83 municipal authorities, Town Panchayats and Panchayat Unions as well as the rural local authorities with varying territorial and functional jurisdictions. It is hard to come by any unified frame of administration or any mechanism for decision making in the overall context of the district or the region. Nor is there a single plan but many plans, sectoral, physical and departmental.

While the overall regional plan is still to emerge, the District Plans are no more than rural sectoral socio-economic programme aggregates. While the rural plans ignore physical planning, the urban Development (Master) Plans are largely physical land use plans without the requisite administrative and financial support to implement them. Rural-urban integration suffers from a double dichotomy. Not only is there no functional integration, there is no area or spatial integration either. The administration of rural and urban development sectors stands totally segregated in parallel lines of vertical inter-governmental relations from the local district authorities to the State Government and the Central Ministries and the Planning Commission. All planning and implementation decisions tend, therefore, to be fragmented into a variety of administrative and budgetary channels, defying the conceptual approach to coordination or integrated development.

Area Development Administration

There is thus no organisation at all to undertake any exercise in areawide integrated rural-urban development planning keeping in view the fact of continuous transition to urbanisation by a process of

technological change. Any such attempt must involve an overall regional physical plan of land use and communication on which the socio-economic and fiscal plans have to be superimposed by a competent regional authority functioning under the broad direction of the State Planning Commission and Government Department. An integrated approach to multi-level programme planning and implementation calls for not only department delegation but a decentralisation of decision making in matters of local planning and development. Decentralisation itself will remain a pious wish unless there is an area level governmental organisation embracing the totality of local planning and development activities, supported by appropriate administrative and technical organisation—so that the state level departments have to communicate and deal with such an area authority functioning as a level of government rather than with individual departmental officers taking a narrow fragmented view of their tasks and responsibilities outside the context of area-wide development. This will also envisage an area-administration budget in which the local resource mobilisation and departmental allocations must converge with an eye to integrated planning and execution of development programmes.

The question is whether the existing local government and planning and development authorities within the present legal framework can meet the demands of such an institutional frame. The municipalities and City Corporations in India with their limited jurisdictions were hardly designed to meet the dynamics of urban explosion and the needs of rural-urban integrated planning. Moreover there are the compulsions of viability particularly in respect of functions of planning and development involving a large area vis-a-vis a number of smaller authorities dealing with the day-to-day administration of local personal services. It may not be too much to ask for a complete and immediate overhaul of the system of local government with two or three tier system with the upper tier at the area-wide regional

level performing the tasks of integrated planning and development. Pending such an overall reform it is possible to make use of the provisions of the Tamil Nadu Town and Country Planning Act 1971 to organise a viable system of regional-cum-local government, provided the various authorities are oriented to the tasks of socio-economic as well as physical planning.

Suggested Regional and Local Government Structure

Section 5 of the Tamil Nadu Town and Country Planning Act, 1971 provides for the constitution of a state level Town and Country Planning Board to oversee the preparation of 'physical' development plans. On the other hand the State Planning Commission and the Departments are concerned with sectoral socio-economic planning. It is necessary to establish an inseparable link between the two planning processes. While the physical plans must be region-oriented, the State Planning Commission should require the State Departments to tailor their plans and financial outlays to the spatial pattern. This will call for a continuous inter-action between sectoral and spatial planning and the Regional Plan should be approved by a joint meeting of the State Planning Commission and Town and Country Planning Board.

As regards the field levels, the Regional authority will have to be made more comprehensive and should have on it the representatives of the Panchayat unions and District Councils—Official and non-

Official to workout an overall integrated area plan. The present District Planning exercise will have to merge with the spatial regional plan. It may be necessary to extend the representation in the Regional body by inclusion of representatives of State Planning Departments on the one hand and rural-urban local bodies on the other. The authority will require being provided with a strong component of technical and administrative expertise—not only to plan but also to execute where necessary.

The Madras-Chingleput Region has been divided in four sub-regions of which Madras-Metro is one. The other three sub-regions should be constituted into Local Planning Authorities functioning under the overall direct supervision and guidance of the Regional body.

In this context the MMDA has a special role and responsibility in relation to both the Regional and sub-regional authorities. It must provide the necessary expertise and guidance as well as the motive force to orient their activities towards spatial planning and development. The Regional and the three sub-regional authorities are bound to be dominated by rural programme compulsions and it is for the MMDA to project the city in the context of the entire region to ensure wider dispersal of socio-economic development and thus to ease the pressure on the main city. The slogan must be—"develop the region to save Madras". The focus must be turned outward if the present trends in metropolitan growth are to be reversed.

Metropolitan Government : Some Foreign Models

IT is tempting to draw on the models of government available in the metropolitan areas elsewhere, when one is looking for solutions to governmental problems in our metropolitan areas such as Greater Bombay, Calcutta, Madras, Delhi and others.* This paper attempts to depict broad-brush pictures of the systems of government in four metropolitan areas, viz., Greater London, Toronto, Paris and Tokyo. One word of caution will be in order in this connection. Governmental forms in any level in a country usually have deep roots in local history and tradition of governance, and these lend an evolutionary character to government structures. The form of metropolitan government in greater London, for instance, cannot be understood save in the context of English predilection for local government and the evolutionary processes that produced the structure of London's metropolitan government. This applies equally well to the governments of other metropolitan areas such as Paris, Tokyo and Toronto. In each metropolitan complex, the governmental form has evolved through a continuous process of adjustments, and the extent of attachment to the value of devolution has considerably conditioned the overall design of metropolitan government in each country. We may now examine in turn the structures of metropolitan government in the four cities.

There are various structural solutions to the problem of governing a sprawling metropolis whose boundaries go on shifting continuously. *Formal* structural solutions would include :

- (i) two-level approach,
- (ii) one-government approach, and
- (iii) special districts.

The four cities in our sample have adopted the '*two level*' approach which we will be discussing in more details, as we turn to the form of government of each city. Suffice it to say here that the two-level approach is kind of metropolitan federalism under which a new level of metropolitan area-wide government is created to tackle the problem of comprehensive planning and to coordinate and provide major area-wide services all over the metropolitan region. While a lower tier of governmental subsystem consists of a number of smaller units that administer smaller, local community services.

One-government approach, on the other hand, provides a unitary solution by annexing and consolidating neighbouring local areas and thus producing a strong single government for the entire metropolitan area. Our corporation governments in Calcutta and Bombay, for instance, have thrived over the years on annexation.

*We are not examining the general problem of institutional transfer. Yet wherever institutions of one country are sought to be transplanted elsewhere, many important questions arise regarding comparability in terms of ecology, polity, society and economy. See in this connection an interesting paper : Hugh Tinker, "Western Local Government Institutions and Asian Society : Synthesis or Severance", submitted at the Rome Congress of the International Political Science Association.

A third approach to metropolitan government has been the constitution of special districts for administering specific functions for the entire metropolitan area. This is quite common in the United States of America. In our country Calcutta's Water Supply and Sanitation Authority is a typical example of special district approach.

Aside from these formal structural solutions, less formal approaches to metropolitan governmental problems include such devices as intergovernmental councils and committees. The purpose of forming 'metropolitan councils' is to promote inter-municipal cooperation in a metropolitan area, and to encourage a joint endeavour to solving common problems on purely voluntary basis. The Metropolitan Washington Council of Governments in the U. S. A. and the Rijnmond (Rhine Estuary) Authority in the Rotterdam metropolitan area in the Netherlands are instances of voluntary inter-local authority efforts to constitute an organizational nucleus to mount a concerted attack on metropolitan problems. The Rijnmond Council consists of 81 members on the basis of one-third appointed by local municipalities and two-thirds elected directly. Throughout the Rotterdam Area, the Council provides technical assistance to the local municipalities, prepares the regional plan and generally promotes inter-local authority cooperation.

Greater London

As already mentioned, the broad approach to metropolitan governmental solutions in London, Toronto, Paris and Tokyo has been toward evolving a two-tier machinery. Despite this similarity in approach, the shape of metropolitan government in London and Toronto has been largely determined by the value attached to local government in England and Canada. Contrarily, Paris and Tokyo

seem to have more faith in centralization that has dictated a less prominent role for local government in their metropolitan governments. Greater London's present two-tier system of government came into effect in 1963, as a sequel to the recommendations of Herbert Commission. More than administrative efficiency what the Commission felt should be achieved through metropolitan reorganization was participative democracy through governmental systems that would be "near at hand and easy of access". To quote the Commission, "no amount of potential administrative efficiency could make up for the loss of active participation in the work by capable, public spirited people elected by, responsible to, and in touch with those who elect them. Under the London Government Act, 1963, local government in Greater London consists of two-tiers, each of which is directly elected and multi-functional. The Greater London Council constitutes the top-tier, and the lower tier consists of 33 units, viz., 32 London Boroughs and the City of London.

The division of functions between the two tiers has been done in such a way that, generally speaking, metropolitan area-wide functions have been entrusted to the Greater London Council, while purely local functions have been assigned to the boroughs. Some instances of sharing of functions would be as follows :

Comprehensive Planning : in the nature of metropolitan plan strategy is the responsibility of the GLC; the boroughs may, however, prepare *local plans* following the basic strategy laid down by the GLC.

Metropolitan roads are looked after by the GLC, whereas the boroughs have responsibility over local area roads.

All the *personal health and welfare services* have been assigned to the boroughs,

the GLC having only the charge of the ambulance service.

Refuse collection and disposal is shared by both the tiers. The collection of refuse is the responsibility of the boroughs, while disposal is the responsibility of the GLC. As regards sewerage administration, the GLC looks after main sewers and sewage disposal, and the boroughs are responsible for other sewers.

Water supply is not a local government function in Greater London, this is the responsibility of the Metropolitan Water Board consisting of representatives of the GLC and the London boroughs, and members of adjoining organisations.

Toronto

Toronto's metropolitan government came into being in 1953. In a two-tier system, the Municipality of Metropolitan Toronto forms the upper tier. It consists of an outside chairman, and thirty-two members representing the six participating municipalities that constitute the lower tier of the metropolitan government. In January 1967, the original thirteen member municipalities of Metropolitan Toronto were reduced to six new metropolitan boroughs. The metropolitan council at the upper tier seeks to achieve "a political balance among the participating municipalities". The distribution of functions between the two tiers is shown in Table 1.

The two-tier approach has, however, not been able to eliminate functional fragmentation in the Toronto metropolitan area. A variety of local boards and commissions responsible for specific functions adds to the governmental crowd in the metropolitan area and renders coordination difficult.

Paris

By a law of August 2, 1961, a new area-wide authority was created under the name of the District of the Paris

Region. The Prefect of the Paris Region concurrently functions as the Delegate General to the District of the Paris Region. Within the Region, there are 1,305 communes which constitute the basic municipal unit in France. The entire Region has been recognised into 8 new Departments. Thus, the Paris Region may be said to have a three-tier government consisting of the communes, the Departments and the District. The last one is an innovation without parallel anywhere else in France. It may be pointed out that in French Law there are two types of territorial local authorities—the department and the commune. Under the supervision of departmental prefects, the representative councils at the levels of department and commune undertake specific functions. In general, purely local functions such as water supply, sewerage, refuse collection and the like are undertaken by the communes either individually or in groups known as 'syndicates'. Many a time, major municipal works would be taken over by the departments. For instance, the former Department of the Seine in the Paris Region had to take charge of disposal and purification of sewerage.

The top-most tier—the District of the Paris Region—is basically an agent for financing and planning redevelopment of the entire Paris Region. The guiding principles for the District are laid down in a strategic scheme for the planning and development of the region which was formulated between 1963 and 1965. As the top-most metropolitan area-wide authority, the District has been made responsible for a number of important functions such as study of problems relating to public utilities, organization of regional public services, financial assistance to local authorities and other public agencies, supporting borrowings of local authorities, and even taking over of particular functions and services in the public interest.

There is an administrative board for the District consisting of elected repre-

TABLE 1

Distribution of Functions between the Two Tiers in Toronto

<i>Function</i>	<i>Metropolitan Toronto</i>	<i>Area Municipalities</i>
1. Planning	—	—
2. Zoning	—	—
3. Express ways	—	—
4. Local roads	—	—
5. Water : purification and trunk distribution	—	—
6. Water : Local distribution	—	—
7. Garbage : collection	—	—
8. Garbage : disposal	—	—
9. Air pollution	—	—
10. Sewage disposal : Sanitary trunk system and disposal plants	—	—
11. Sewage disposal : connecting systems	—	—
12. Public health services	—	—
13. Chronic and convalescent hospitals and ambulance services	—	—

Source : Eric Hardy, 'Toronto and Montreal', in *Great Cities of the World* by W. A. Robson and D. E. Regan (eds.), Vol. II, London, George Allan and Unwin Ltd., 1972.

sentatives of communes and departments. The decisions of the board are implemented by the Delegate-General who is appointed by the Central Government. In the Paris region, the District has played a significant role in the quick provision of key public services and in effectively supplementing the work of the local authorities in the region. To quote an authority, "It has provided an opportu-

nity for a dialogue between the people, through their elected representatives, and the administration, at the regional level, which has proved very effective. This dialogue has even been extended, after the creation in 1963 of the Social and Economic Consultative Committee composed of representatives of trade unions, professional organizations and other bodies. It has proved to be a catalyst in

the awakening of a genuine regional community feeling".¹

Tokyo

The metropolitan region of Tokyo covers a radius of about 50 km. from the Tokyo central station. It embraces the daily commuting zone and the areas under the strong influence of the metropolis. There is a two-tier system of government for the metropolitan region with the four prefectures including the Tokyo metropolis forming the upper tier and a total of 175 local authorities constituting the lower tier. The government of the Tokyo metropolis is based on the American system of separation of the legislature and the executive. Thus, the upper tier government consists of a directly elected metropolitan council and the metropolitan governor who is a directly elected chief executive like the U. S. President. Of the lower tier authorities, the 23 special wards within the Tokyo Metropolis constitute the urban core of the metropolitan region. Each special ward has a directly elected council of 60 members. The Mayor, who is the executive head of a special ward, is elected by the ward council with the consent of the metropolitan governor. He may be selected from among the councillors or from outside.

The distribution of functions between the Metropolitan Government and the Special Wards is shown in Table 2.

The metropolitan government ensures coordination among the different special wards, and makes financial adjustments between the two tiers. There is a special standing conference consisting of the metropolitan governor, six officers of the metropolitan government and seven members representing the mayors of special wards; this conference serves the purpose of a coordinating mechanism between the two tiers of government.

Currently, the shape of Tokyo's metropolitan government is being debated upon. The tremendous growth rate of the region has created a situation of runaway urbanization in a vast area including three adjoining prefectures of Tokyo. A gigantic regional authority embracing this vast area has been favoured in some quarters, and possibly central government control would in that case increase over the administration of the regional authority. The central government's concern for regulating the urban growth of the Tokyo metropolitan region can be evidenced from the enactment of the Capital Region Development Law in 1956 which was later revised in 1965. The

TABLE 2

Tokyo Metropolitan Government : Distribution of Functions between the Two Tiers

<i>Metropolitan Government</i>	<i>Special Wards</i>
City planning, water works, sewerage, collection, transportation and disposal of refuse, fire brigades, etc.	Schools for compulsory education, public libraries, public health services, social welfare functions, building control, etc.

Source: Masamichi Royama, 'Tokyo and Osaka, in W. A. Robson and D. E. Regan (eds.), *op. cit.*

¹ Paul Delouvrier, 'Paris', in W. A. Robson and D. E. Regan (eds.), *op. cit.*

'Capital Region' originally covered a radius of about 100 km. from the Tokyo Central Station, and subsequently its area was extended to include the Tokyo metropolis and the boundaries of seven adjoining prefectures. For administrative purposes, a Capital Region Development Commission has been set up with the Minister of Construction as Chairman, and four other members appointed by the Prime Minister with the approval of both Houses of the Legislature. The Commission has been empowered to prepare development plans for the Capital Region and coordinate other government activities within the framework of the plans.

Conclusion

Let us now try to sum up the discussions above and see what can be learnt from foreign experiences. A consolidated picture of the governments of the four metropolitan areas is drawn in Table 3.

Although, all the four cities have adopted basically a two-tier approach, there are some metropolitan functions which have escaped the governmental net in

most places. For instance, in Greater London area, important services such as hospitals, water supply and police are not administered by either tier of the metropolitan government. Secondly, limited use of *ad hoc* bodies for the administration of area-wide functions seems universal. This applies as much to Greater London as to Tokyo. Thirdly, the rapid rate of urbanization has in all the areas frequently rendered the boundaries of the metropolitan regions obsolete. One of their major problems is thus to contain metropolitan growth certain limits with the help of a variety of policies and instruments such as regional planning, green belt, satellite towns and so on. Fourthly, in a two-tier arrangement, the division of functions between the tiers has been done mainly on the basis of the scale of operation of a function. Metropolitan area-wide function have been assigned to the upper tier and purely local functions have been assigned to the lower tier units. The situation, however, demands mature understanding between the tiers as partners in a common endeavour. Often, as in the case of refuse collection and disposal, the two-tiers have to function in close collaboration with each other to

TABLE 3

Metropolitan Governments of Four Cities

<i>Metro Government (Higher-tier)</i>	<i>Metro Area (Sq. miles)</i>	<i>Metro Population (in million)</i>	<i>Number of Lower tier units</i>
1. Greater London Council	640	8 (1968 figure)	33
2. Municipality of Metropolitan Toronto	240	2 (1966 figure)	6
3. District of the Region of Paris	4,670	12 (1968 figure)	8 (plus 1305 commons)
4. Tokyo Metropolitan Government	1,600	11 (1969 figure)	175 (special wards, cities, towns and villages)

complete the whole function. Also, as the case of Toronto shows functional distribution cannot be a static thing. Relocation has to be done on the imperatives of the situation at any time in future. Last, but not least, popular participation and active involvement of diverse interests such as industry, trade and commerce in metropolitan planning and development has

been emphasized in all the cities including Paris which had traditionally been known for strong central control. These are some of the important features of the metropolitan situations in the four cities that are of considerable relevance to metropolitan areas in India as well where we are groping for governmental designs matching the appropriate urban situation.



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Civic Leadership in Anakapalle

ANAKAPALLE is situated on the banks of the Sarada River in the Visakhapatnam District. The town is only $18\frac{1}{2}$ miles from Visakhapatnam Port and is one of the biggest Jaggery market centres in Andhra Pradesh. In 1973-74 it excelled other Jaggery exporting centres of the country and created a record. It is the Taluq Headquarters with a bracing climate. Anakapalle is one of the earliest Municipalities in India as it was set up in 1877. In the year 1956 the municipality was declared a first grade municipality.

This paper attempts to bring to light the nature and status of the individuals who are getting training in the art of representative government by being elected to the municipality. It also attempts to analyse for social and political background of municipal leaders, their educational attainments, age, occupation and economic base. The town witnessed several municipal elections since its inception but this study pertains to the two elections held in 1959 and 1967 only. A brief questionnaire was administered to collect the data.

Municipal Elections in 1967

The modern town of Anakapalle occupies an area of 8.99 square miles. Its population is 57,263 (1971). It has been divided into 22 single member and 3 double member wards. Every double member ward has two seats, one is general and the other is reserved for women. In these three reserved wards, three seats are reserved for women and one ward is intended for scheduled caste. Thus out of 28 Council seats four are reserved and the remaining 24 seats are non-reserved.

To the last elections that were held in September 1967, there were 113 nominations for the 28 seats. No nomination paper was rejected. Out of 113, 42 candidates withdrew from the contest. In one double member ward, a lady was declared elected unanimously as there was no competition to her by female candidates. From another ward a male candidate was elected uncontested. Thus out of 28 members, two candidates were declared elected uncontested. Thus there were only 71 candidates in the field to contest 26 seats from 24 wards. Of the 28 out-going councillors, 13 sought re-election and 5 out of these 13 were re-elected to the new Council.

As regards the two remaining reserved seats for women, there were six candidates contesting while there were only three candidates for one reserved seat, reserved for scheduled caste. For one reserved for women, a lady belonging to Scheduled Caste won the election. The reason for her success against caste Hindu ladies was, she was supported by an influential male contestant of the same ward. The reason why he supported her was, to gain the sympathy and support of Harijan voters of his ward. Having appreciated his support to their (Harijans) candidature there is a likelihood that they may cast their votes in his favour. By adopting this strategy, the male contestant will have double advantage. One is to gain maximum number of Harijan votes and the other is to get a Harijan lady elected as Councillor to support him at the time of Chairman election and Council meetings.

It is interesting to note that the total number of votes of the town in the last election (1967) was 26,661. The woman voters constitute 14,174, whereas votes of man constitute 12,547. The total number of votes polled in the said election was 24,679. Out of this, the number of women who exercised the right was 13,137, while the number of man was 11,542 and 576 votes were declared invalid.

In spite of the majority of woman voters in the town, their representation in the Council was insignificant. Almost all the women in 1959 and 1967 were elected from reserved seats. Usually these lady Councillors were 'yes man' of some influential Councillor.

Table I shows how the Councillors are drawn from a variety of castes. Among them Brahmana, Kshatria, Vysya, Gavara, Kapu, Telaga, Scheduled Caste and other minor castes of the town. Of the

castes, Brahmana and Vysya have been losing their ground and their strength is declining election after election. In 1959, they constituted about 21.4 percent whereas in 1967 Council, it was reduced to 10.7 per cent. But Kshatrias have maintained their *status quo* in the two consequent Councils. On the other hand the new leadership consisted mostly of backward communities. In 1959 Council, the representatives from backward communities were about 67.9 per cent whereas it went up to about 75 per cent in 1967 Council. Among the backward communities, Gavara Caste constitutes a very large section in the population of the town. The Councillors belong to this caste alone constitute about 42.8 per cent in 1959 and 50 per cent in 1967 Council. The scheduled caste members have improved their position from about 3.6 per cent in 1959 to about 7.1 per cent in 1967 Council. This indicates the emergence of Councillors representing the lower strata of Society.

TABLE I
Distribution of the Councillors by Caste

S. No.	Caste	1959-1964	Percentage of Col. 3	1967-1972	Percentage of Col. 5
(1)	(2)	(3)	(4)	(5)	(6)
1.	Gavara	12	42.8	14	50.0
2.	Vysya	5	17.9	2	7.1
3.	Brahmin	1	3.6	1	3.6
4.	Kshatriya	2	7.1	2	7.1
5.	Kapu	1	3.6	2	7.1
6.	Telaga	3	10.7	2	7.1
7.	Scheduled Caste	1	3.6	2	7.1
8.	Devangi	—	—	1	3.6
9.	Lingayat	1	3.6	1	3.6
10.	Oddi	1	3.6	1	3.6
11.	Casteless	1	3.6	—	—
Total		28	100.00	28	99.9 (100.00)

An analysis of the age pattern of the municipal councillors as it was shown in Table II the youth (those who are below 35 years) constitute a good number. They are 31.1 per cent in 1959 Council and it is about 28.6 per cent in 1967 Council. The age-group of 26-30 has increased from 3.6 to 10.7 per cent in 1967. The age-group of 36-40 has improved their position from 14.3 per cent to 25 per cent in 1967. The Councillors who were below forty years improved their position from 46.4 per cent in 1959 to 53.6 per cent in 1967. Those who were above 55 years, are about 7.1 per cent in 1959 and brought to nil percentage in 1967. What do these figures convey? The Councils seem to be dominated by the youth. For, those who were between 31-45 years were in absolute majority in both Councils with 71.4 per cent in 1959 and 67.9 per cent in 1967.

Table III showing the educational qualifications of the Councillors, indicates that the general level of education was not high. Though the town has several high schools and a Degree College having good strength, providing facilities for higher education, yet the Councillors with high qualification are rare phenomena. Those who had studied up to primary, middle and matriculation constituted about 60.7 per cent in 1959 and about 75 per cent in 1967 registering a rise of 14.3 per cent. The Councillors having S.S.L.C. Qualification were about 21.4 per cent in 1959 Council, whereas it was nil in 1967. The old intermediate and undergraduates have improved their position 10.7 per cent more than what they were in 1959. There was, not a single degree holder in 1959 Council, but in 1967 two graduates were elected as Councillors.

TABLE II
Distribution of the Councillors by Age

<i>S. No.</i>	<i>Age</i>	<i>1959-1964</i>	<i>Percentage of Col. 3</i>	<i>1967-1972</i>	<i>Percentage of Col. 5</i>
(1)	(2)	(3)	(4)	(5)	(6)
1.	21—25	1	3.6	—	—
2.	26—30	1	3.6	3	10.7
3.	31—35	7	25.0	5	17.9
4.	36—40	4	14.3	7	25.0
5.	41—45	9	32.1	7	25.0
6.	46—50	2	7.1	2	7.1
7.	51—55	2	7.1	4	14.3
8.	56—60	1	3.6	—	—
9.	61 above	1	3.6	—	—
Total		28	100.00	28	100.00

TABLE III
Educational Qualifications of the Councillors

<i>S. No.</i>	<i>Qualifications</i>	<i>1959-64</i>	<i>Percentage of Col. 3</i>	<i>1967-1972</i>	<i>Percentage of Col. 5</i>
(1)	(2)	(3)	(4)	(5)	(6)
1.	Read and Write	4	14.3	1	3.6
2.	Primary	8	28.6	13	46.4
3.	Middle and upto Matriculation	9	32.1	8	28.6
4.	S.S.L.C.	6	21.4	—	—
5.	Old Intermediate and Under Graduate	1	3.6	4	14.3
6.	Degree Holder	—	—	2	7.1
Total		28	100.00	28	100.00

Table IV shows that the Councillors belong to a wide occupational range. Of the total, big businessmen, such as Jaggery merchants, cloth merchants and cinema owners, etc., constitute single largest group in 1959 and 1967 Councils. There were about 43.1 per cent and 50 per cent respectively. Those who were engaged in agriculture and at the same time did some business improved their position from 17.9 per cent to 25 per cent. The petty businessmen like watch-mechanics, cycle-repairers and pan-shop owners constitute about 21.4 per cent in 1959 Council whereas they were about 10.7 per cent in 1967 Council. The market-clerks maintained their *status quo* in 1959 and 1967 Councils. Persons with no occupation and Trade union leadership constituted about 3.6 per cent each in 1959, but such people could not return in 1967 elections. The big businessmen, petty businessmen, market clerk and agriculture-businessman constituted the largest members in the Council. They were about 71.4 per cent and 63.6 per cent in the two Councils respectively. Thus, the fact is that bluk

of leadership belongs to businessmen in the municipal council.

Table V reveals a trend of income pattern of the Councillors (collected through interviews). Persons with the lowest incomes are losing hold on the civic leadership. The middle class people having income less than two hundred p. m. are losing ground to some extent. They were about 46.4 per cent in 1959 Council, whereas they were about 35.7 per cent in 1967 Council. The members of income group of Rs. 201 to 500 also become meagre. Their percentage has fallen from 25 per cent to 7.1 per cent. However, there is a slight rise in the membership of income-group of Rs. 501 to 1000. One could notice spectacular rise in the membership of upper strata of Society. People, whose incomes, were above Rs. 500 p.m. constituted about 25 per cent in 1959 whereas they were about 57.2 per cent in 1967 Council. In other words decline in the membership of lower middle class and middle class was made up by the rise in the rich section of the people.

TABLE IV
Distribution of the Councillors by Occupation

<i>S. No.</i>	<i>Occupation</i>	<i>1959-64</i>	<i>Percentage of Col. 3</i>	<i>1967-1972</i>	<i>Percentage of Col. 5</i>
(1)	(-)	(3)	(4)	(5)	(6)
1.	Big business like Jaggery merchant, Cloth Merchant and Cinema Owner	12	42.9	14	50.0
2.	Market Clerk	2	7.1	2	7.1
3.	Petty business, like Watch Mechanics, Cycle Repair, Pan Shop Owner.	6	21.4	3	10.7
4.	Agriculture & Business	—	—	1	3.6
5.	Agriculture	5	17.9	6	21.4
6.	Private Employee	1	3.6	2	7.1
7.	Trade Union Leader	1	3.6	—	—
8.	No Occupation	1	3.6	—	—
Total		28	100.00	28	100.00

TABLE V
Distribution of the Councillors by Income

<i>S. No.</i>	<i>Income (in Rupees)</i>	<i>1959-64</i>	<i>Percentage of Col. 3</i>	<i>1967-1972</i>	<i>Percentage of Col. 5</i>
(1)	(2)	(3)	(4)	(5)	(6)
1.	No Income	1	3.6	—	—
2.	Less than 200	13	46.4	10	35.7
3.	201—500	7	25.0	2	7.1
4.	501—1000	4	14.3	5	17.9
5.	1001—2000	2	7.1	4	14.3
6.	2001—3000	1	3.6	1	3.6
7.	3001—4500	—	—	—	—
8.	4501—7000	—	—	2	7.1
9.	7001 and above	—	—	4	14.3
Total		28	100.00	28	100.00

Though the municipal elections were fought without party symbols their party affiliations were very well known to voters and political parties freely participated in the municipal elections.

Table VI shows that about 28.6 per cent of the Councillors belong to Congress in 1959 whereas the number decreased to about 21.4 per cent in 1967 Council. The Swatantra and Jana Sangh have improved their position from 1959 to 1967 Council. The C.P.I. has lost two seats in 1967 Council. The reason for the decline of its strength was due to the split in the party at National level. It is being said that the local C.P.M. worked in favour of non-C.P.I. party candidates. The independents have maintained their *status quo*. The C.P.I. and Jana Sangh were the only two parties that fought the election on party symbol in 1959 and it was only the C.P.I. that fought 1967 election on party symbol.

Regarding the political experience of the Councillors about 65 per cent in 1959 became Councillors for the first time whereas in 1967 they were about 75 per cent. Thus the fresh candidates outnumbered the experienced in the two Councils. It also indicates the gradual decrease in the number of Councillors re-elected from 1959 to 1967 Council.

Conclusion

From the study on emerging civic leadership in Anakapalle, we can make some observations. In the elections votes are polled on the basis of Caste and Community affiliations. Money plays a decisive role at the time of election. It is the businessman that dominates the membership of the municipal council.

It is interesting to note that the traditional backward castes are becoming more and more socially conscious and

TABLE VI
Party Affiliation of the Councillors

S. No.	Party	1959-64	Percentage of Col. 3	1967-72	Percentage of Col. 3
(1)	(2)	(3)	(4)	(5)	(6)
1.	Congress	8	28.6	6	21.4
2.	C. P. I.	6	21.4	4	14.3
3.	Jana Sangh	5	17.9	6	21.4
4.	Swatantra	4	14.3	7	25.0
5.	Independents	5	17.9	5	17.9
Total		28	100.00	28	100.00

politically articulate. The new leadership comes mostly from backward communities. Thus municipal leadership today is more socially broad-based and democratic than before. There is emergence of youth leadership in the municipal politics. Some may of course express doubt about the ability and capacity of young in shouldering the responsibility of municipal government.

The level of education of the Councillors appeared to be low and highly educated citizens do not seem to have any interest in town politics. College lectu-

rers, School teachers, medical practitioners and lawyers who are supposed to comprise part of the elite of the town are totally unrepresented. On the whole it may be said that as far as Anakapalle municipality is concerned well-educated leadership is yet a far cry. Women do not actively participate in municipal politics and their presence in the Council is only to fulfil the statutory provision. Partywise the Swatantra and Jana Sangh have been gradually gaining hold in the politics of the town. The electorate also do not seem to be conscious of its civic duties and responsibilities.



Urban Law in Relation to Urban Planning

THE city is a living and dynamic organism. It is the form and symbol of integrated physical and social relationships. Urban Planning seeks to coordinate human activities in space by establishing physical links between places of living, working, communicating and recreating. It essentially aims at providing a good physical and human environment conducive to healthy and satisfying community life. Until recently this planning was supposed to be mere civil design or civil engineering aiming at beautification of the city and provision of utility services. This narrow concept has in recent times been replaced by such larger issues as the right use of land both in the town and the country; provision of housing, public utilities, municipal services and community facilities; and a synthesis of all these elements within the framework of a comprehensive development plan. With increasing urbanisation and industrialisation, there are conflicting and competing demands for lands for residential, commercial, industrial, recreational and other purposes. Urban planning is to subserve rational decision making process and it aims at the proper use of land and achievement of physical balance.

Analysis of demographic data reveals relatively faster growth of urban population especially in the metropolitan regions. This clearly indicates lopsided distribution of population as between the urban areas of varying status and concentration and congestion in the well established major urban areas. Such a situation is not conducive to balanced

urban land use and development in the country. Most of the urban areas, particularly the metropolitan regions, present a pathetic picture of congestion, overcrowding, slums and blight while within many of them utilisation of land is extremely inequitable. Most of the cities and towns do not have even basic services like water supply. Housing conditions are extremely depressing. There are huge backlogs in community facilities. In a country committed to planned development, these deficiencies have got to be removed and better urban living conditions have to be ensured within as short a time as possible. Any attempt to do so is bound to have repercussions on the problem of land—its acquisition, development, distribution, regulation and use. The process of urbanisation and urban land use changes the character of land from agricultural to non-agricultural type and in the process the habitation changes from rural to urban character. Urban development being a direct consequence of economic and industrial development has an element of inevitability and it may even be considered progressive and desirable, provided, of course, it is not allowed to take place in the present chaotic manner. Urban development would be really conducive to economic development and human welfare, if it would be well planned and well directed. This presupposes that urban development policy will be rationally linked to industrial and other major investment decisions and location of industries. Careful considerations are necessary to see that the urbanised land is put in optimum use.

The facts about declining man-land ratio, the deteriorating urban conditions and the future urbanisation perspective make it absolutely clear that a comprehensive long-range urban development policy is an imperative for India. It has not been possible yet to formulate a national urban development policy or, for that matter, state urban development policies. The existing urban legislation concerning the control, regulation and compulsory acquisition of land is far too inadequate in the context of India's changed social setting. The Social objectives of urban law are to achieve an optimum use of land and make land available adequate quantity at the right time and at reasonable prices to both public authorities and the individuals, to encourage cooperative community effort and bonafide individual builders in the field of land development, housing and construction, and to prevent concentration of land ownership in few private hands and safeguard specially the interest of the poor and the under-privileged sections of the society. In developed urban land the major problems are congestion and overcrowding, blight and slums, non-conforming uses, lack of civic services and community facilities, rising land prices and under-utilization of land. The measures required to deal with these problems include master plans, zoning regulations, effective enforcement of land use control through specific laws and/or municipal bye-laws and launching of urban renewal schemes. Beyond the city limits there lies urbanisable land, *i. e.*, land which may be rural at present but which is most likely to get urbanised over a period of 15 to 20 years. It has been noticed that in the absence of adequate legal control measures this land is vulnerable to haphazard growth particularly along the highways which soon get choked affecting free flow of traffic. As is well known, in such situations by-passes become necessary later which means incurring heavy public expenditure.

The measure suggested to check

haphazard urban growth is to determine the urbanisable limits. Then this area should be declared a controlled area for the purpose of regulating growth and orderly development. No person can erect or re-erect any building or make any excavation or have any means of access to a road in the controlled area except in accordance with the plans and restrictions under the urban law.

Significance of Administrative Law in Relation to Urban Law

It is pertinent in this context to briefly indicate the significance of administrative law in relation to urban law. The overwidening span of the executive power in the planning agencies draws in increasing categories of quasi-legislative and quasi-judicial functions. The motivations, objectives, and purpose of the urban public planning agencies and the administrative action have undergone a radical transformation rendering the reformulation of norms of the administrative process a felt necessity. The citizens must come in contact with the administrative authorities and agencies at every turn of his busy activities. The property acquisition and planning enforcement control and regulation impinge on his freedom, liberty and rights, property interests and legal capacity in so many ways. Frequent resort to the courts seeking conventional remedies in many of these matters might be inadvisable; more often than not this might mean delay, expense, prohibitive cost and disappointment. The citizen's incapacity to comply with the technical forms of procedure and his inability to produce the required degree of evidence insisted upon by the courts would mean loss of benefits intended to be given to him. Indeed the law courts might as well prove to be wholly ineffective and access to them might mean denial of justice. Therefore, the need for making the planning administrative authorities increasingly responsible and the desirability of adequate administrative law and public law remedies easily and effectively

made available to him without undue advantage to the administration, can not be over-stressed. In India administrative law deals with the power, procedure and liabilities of the planning administration; regulates the manner of exercise of power and discretion by the planning authorities, public officers and other instrumentalities of the Government, prescribes the modes of control of planning administrative action by the legislature and the judiciary, and defines the rights and remedies of private persons in their dealings with the planning administrative authorities. It also formulates and regulates the procedure for the exercise of administrative powers in relation to planning, and seeks to control the exercise of planning administrative discretions and regulation. It brings the administrative processes in accord with law. It seeks to regulate the exercise of administrative discretion by enforcing the rules of procedure established by law, or recognised by the rules

of natural justice. Thus, administrative law relating to planning concerns itself with the extent and scope of the quasi-legislative and quasi-judicial powers of the administration and the administrative agencies. It treats the question of constitutional relationship of these agencies, with the legislature and the courts. In the event of misuse or abuse of power and discretion by the administrative authority, it provides for review of administrative action, its rectification and, if necessary, judicial control. It also deals with the question of finality of administrative adjudication relating to planning, exclusion of the jurisdiction of the courts. Within its province falls the questions of constitutionality of the delegated legislation and the legality of the rules, regulation and orders of administrative agencies. It also deals with the liability of the administration involved in urban development to the citizens for tortuous Acts and other acts of injuria.

TOPICS ON URBAN LAW

I. Scope of urban law.

(a) The meaning, significance and objectives of planning legislation. Planning Law as a positive tool for implementing planning policies and promoting planned development.

(b) A brief and analytical survey of the development of legislation relating to urban and regional planning, housing, and traffic and transportation planning in India, U.K., U.S.A., and other countries.

(c) A critical review of selected Planning Legislations in India and abroad; recent trends in planning legislation.

II. Extent of administrative power and dimensions of administrative discretion relating to urban law.

(a) Legal effect and administrative process relating to development plans.

(b) Legal effect and administrative discretions relating to planning—administrative adjudication—Principles of Natural Justice—Planning enquiries and planning Investigations.

III. Legal effect and administrative procedure for delegated legislation relating to urban law.

(a) Delegated Legislation—Need for delegated Legislative permissibility and constitutionality—modes of delegation—Procedural formalities required to be observed by the administrative agencies—Safeguards against abuse of delegated power—

Sub-delegation of power and conditional legislation—Judicial control and legislative control.

IV. Quasi-judicial functions and administrative procedure relating to urban law.

Administrative tribunals for planning—Procedure in granting planning permission—Administrative procedure of appeals against planning decisions and procedure for conducting of a planning enquiry—Legal effect relating to planning permission—Duration of permission and validity and enforceability of conditions—administrative procedure of land use development control or zoning sub-divisions regulation relating to enforcement notices and certificates of established use—inquiries, objections, hearings there-to—procedural guarantees—finality of decisions—jurisdiction of courts over the planning administrative agencies and tribunals.

V. Legal effect and administrative procedure relating to revocation or modification of planning decisions under urban law.

Adverse planning decisions and purpose notices : (i) restrictions, (ii) revocation, (iii) modification of planning decisions, (iv) Exclusion of compensation.

VI. Judicial control of the planning administrative action relating to urban law.

Scope of judicial review—Control through writs—Statutory judicial remedies.

VII. Legal liability of government and public authorities under urban law.

Governmental liabilities—contractual & tortuous liabilities—immunities of the planning administrative agencies and bodies from suits—remedies available against the Governmental instrumentalities.

VIII. Legal effect and administrative procedure regarding land acquisition under the urban law.

Constitutional provisions relating to power of acquisition of property—Fundamental rights—4th, 17th and 25th constitutional amendments—Public purpose and compulsory acquisition of property—principles

of compensation and market value—Justifiability of public purpose—Judicial decisions relating to urban development—union and different statutes and administrative procedure relating to acquisition of land for urban development—constitutional provision relating to implementation of development plan—operation and change of land use.

IX. Legal constitutional provision and administrative procedure relating to imposition of betterment levy under the urban law.

- (a) Betterment levy.
- (b) Modification of betterment levy.



Municipalities and the Provisions for Public Safety

A Study of Haryana

THE performance of municipalities in providing services has been far from satisfactory. Municipal services both in terms of volume and quality are at a low ebb. The per capita incidence of expenditure on public health, public works, public safety and public instruction comes to Rs. 14.71, Rs. 3.36, Rs. 2.01 and Rs. 0.43 respectively. With this low level of expenditure municipal committees cannot be said to have provided a reasonable standard of services. Under the impact of Five Year Plans expenditure on each service has increased considerably, but at the same time there has been an increase in urban population and in the cost of providing services. Consequently, the per capita availability of municipal services has not risen to any appreciable extent. In most of the municipalities the position of public health, water supply and drainage is unsatisfactory. Very few municipalities have the facilities of safe drinking water supply and drainage. Most of them have open drains which constitute a danger to public health and sanitation. Municipal works have neither been maintained properly nor have they been expanded. The facilities of libraries, reading-rooms, museums, parks and gardens are almost non-existent in most of the municipalities.

Public safety is one of the important functions of municipalities. It includes protection from fire, lighting of roads and streets, and destruction of wild animals. It is a minor item of expenditure of municipalities in Haryana as fire-equipment is maintained only by the

bigger municipalities. It is only on lighting that most of the expenditure under public safety is made. Table 1 shows expenditure on public safety during the past five years.

The increase in expenditure, as shown in the Table 1, is partly due to expenditure on street lighting arrangements for towns that were electrified during this period, for new colonies and roads and partly due to expenditure on the purchase of fire-fighting equipment and establishment charges.

Fire Protection

One of the main items of expenditure under public safety is fire protection. In cities/towns with a large number of houses huddled together, an outbreak of fire, unless handled promptly, can be very destructive. Accordingly, the municipalities try firstly to prevent the outbreak of fires and secondly to combat them promptly when they break out. To minimise the possibility of outbreak of fires, the municipalities regulate the storage of inflammable things like petrol, kerosene oil, etc., and require, through their building bye-laws, the construction of buildings where such articles can be stored. For fighting fires when they have actually broken out, they (at least the bigger ones of them) maintain fire-brigades. However, fire brigades can be prompt and useful only in those municipalities which have a piped water supply so that the fire engines can be provided with an adequate quantity of water speedily. Table 2 shows the amount spent by the municipalities on fire protection.

TABLE 1
Expenditure on Public Safety

<i>Year</i>	<i>Amount (in thousands of Rs.)</i>	<i>Percentage to Total Expenditure</i>
1964-65	1675	7.11
1965-66	1572	5.74
1966-67	1708	6.04
1967-68	2183	6.81
1968-69	3343	8.24

Source : Collected and compiled from :

- (a) Statistical Abstract of Composite Punjab, 1965.
- (b) Statistical Abstract of Haryana for the years 1966, 1968-1969 and 1969-70.

TABLE 2
Expenditure on Fire Protection

<i>Year</i>	<i>Amount (in thousands of Rs.)</i>	<i>Percentage of Total Expenditure</i>	<i>Percentage of Total Safety Expenditure</i>
1964-65	181	0.77	10.80
1965-66	242	0.88	15.39
1966-67	339	1.20	9.84
1967-68	431	1.35	20.43
1968-69	551	1.36	16.48

Source : Collected and compiled from :

- (a) Statistical Abstract of Composite Punjab, 1965.
- (b) Statistical Abstract of Haryana for the years 1966, 1968-69 and 1969-70.

The expenditure on fire protection has increased from 10.80 per cent in 1964-65 to 16.48 per cent in 1968-69, but this increase in expenditure has taken place only in the case of bigger municipalities. The smaller municipalities have not spent anything on the provision of this service. There are a large number of municipalities which do not have any equipment to extinguish fire. Table 3 gives information regarding fire-fighting equipment, number of persons employed,

number of fire calls attended to and the value of property destroyed in the municipalities.

Table 3 reveals that fire-fighting equipment is available only with 11 out of 59 municipalities. No third class municipality barring Dabwali Mandi have any fire-fighting appliance. What is more surprising is that in the two districts of Jind and Mohindergarh the municipalities have neither fire-fighting equipment nor

TABLE 3

Fire Services : Fire-Fighting Equipment and Calls Attended, 1966-67

<i>Municipal Committee</i>	<i>Class</i>	<i>No. of Fire Services Stations</i>	<i>No. of Service Engines & Motors in use</i>	<i>No. of Persons Employed</i>	<i>No. of Fire Calls Attended</i>	<i>Value of Property Destroyed (Rs. in thousands)</i>
Karnal	I	1	1	4	27	12
Panipat	I	1	1	7	11	1
Gurgaon	I	1	2	9	21	13
Rewari	II	1	1	8	9	13
Faridabad (N. T.)	I	1	4	23	96	415
Hissar	I	1	1	21	60	410
Sirsa	II	1	2	7	22	145
Dabwali Mandi	III	1	1	6	22	40
Rohtak	I	1	2	18	77	—
Ambala City	I	2	9	47	53	25
Yamuna Nagar	I	2	4	21	53	24

Source: Collected from District Statistical Offices.

do they spend anything on fire protection. This means not that fires do not break out in their jurisdiction, but they do not realize the importance of maintaining well-equipped and up-to-date fire-fighting equipment.

As far as the number of fire service stations is concerned, no municipality except Ambala and Yamuna Nagar has more than one fire service station. In all the 11 municipalities, the equipment and staff is inadequate to cope with the needs of the city/town. Inadequacy of fire-fighting services can be well seen from the following extracts from the Tribune about fire service, in the Municipal Committee of Rohtak.

“Rohtak Municipal Fire Service—the only fire-fighting force in Rohtak and Jind districts—has proved hopelessly inadequate to meet the needs of the area. It is not in a position to attend to more than one case of fire reported from the region. The station lacks proper equipment and is poorly staffed. It has only one out-dated fire engine of 1958-model. Mechanical failure at a crucial time is not very uncommon. There is also shortage of hoses. It has only 200 feet length of them. This hampers its efficiency.

“There are very few hydrants in the town. Most of the time the water pressure in them is so low that the fire-fighting force cannot make any use of them. It has to depend on its water tank which has a capacity of only 450 gallons.

“The civic body is apathetic towards the need for developing an efficient fire-fighting force. The committee has an annual budget of Rs. 30 lakhs, but it refuses to invest Rs. 30,000 on a new fire engine for which the State Government had offered to give a matching grant.”¹

If such is the condition of fire fighting force in Rohtak, which is one of the two cities of Haryana, the condition of this service in other towns can be well imagined.

In view of rapid urbanization the maintenance of an up-to-date fire fighting equipment with trained staff should be made compulsory for all municipalities having more than one lakh rupees as annual income. Smaller municipalities may use road watering equipment in case of fire breakout. In bigger and industrial towns like Panipat, Rohtak, Yamuna Nagar, Hissar, Karnal and Gurgaon where the possibilities of fire breakout are greater, the number of fire stations should be increased. Adequate water supply at high pressure with sufficient number of fire hydrants throughout the city/town should be provided. Municipal bye-laws regarding the storing of combustible and inflammable articles should be strictly enforced.

Lighting

Another important item of expenditure under public safety is lighting. Haryana is the only State in India whose all villages and towns are electrified. Electricity to municipalities is supplied by the State Electricity Board, but it is for the municipality to make arrangements for street lighting with the help of Electricity Board which provides the light points as per details submitted by the municipality. The municipality has to pay the bill for electricity consumed in respect of street lighting. Table 4 shows the expenditure on lighting.

As is clear from Table 4, lighting alone accounts for more than fifty per cent of the expenditure on public safety. However, the percentage of expenditure on lighting has declined from 56.53 in 1964-65 to 47.56 1968-69. This may be attributed to the fact that by 1967-68 all

¹ *The Tribune*, 19 June, 1970.

TABLE 4

Expenditure on Lighting

<i>Year</i>	<i>Amount (in thousands of Rs.)</i>	<i>Percentage to Total Expenditure</i>	<i>Percentage to Total Public Safety Expenditure</i>
1964-65	947	4.02	56.53
1965-66	1024	3.74	64.14
1966-67	962	3.41	56.32
1967-68	1258	3.93	57.62
1968-69	1600	3.94	47.56

Source : Collected and compiled from :

(a) Statistical Abstract of Composite Punjab, 1965.

(b) Statistical Abstract of Haryana for the years 1966, 1968-69 and 1969-70.

the municipalities had completed the costly programme of electrification of their streets and roads.

Lighting of streets follows either a moon light schedule or a whole night one. In case of the former, the lights are kept on only for the part of the night when moon light is not available, though in case of important roads and crossings they may have to be kept burning the whole night. A moon light schedule ensures economy as compared with the whole night one.

In some municipalities, especially in the bigger ones, lighting arrangements are quite satisfactory. Light points have been distributed according to the needs and requirements of traffic and streets. Tube lights have also been installed on main roads. But in the majority of municipalities the position of street light-

ing is not so satisfactory. Light is insufficient to meet the traffic needs. Generally 20 to 30 per cent of street light points are always found out of order. Fused bulbs are not replaced for months together. The municipalities should give prompt attention to public complaints with regard to replacement of fused street light points. And the distribution of lighting facilities should be done on the basis of general public and traffic needs.

Destruction of Wild Animals

For the control of rabies, the municipalities arrange for the destruction of stray dogs and other animals and offer small rewards for killing them. Expenditure on this is negligible as only dogs roaming about the streets are caught and killed by municipal sweepers.

To conclude, the municipalities in Haryana have not been able to perform their function of public safety satisfactorily mainly because of the low per capita incidence of expenditure. Their poor performance of various functions has become an excuse for the State Government to take over some of the municipal functions, either directly or

by creating special purpose authorities. This has resulted in an erosion of the functional jurisdiction of the municipalities. The remedy lies not in depriving the municipalities of their functions but in strengthening the municipal administration through financial assistance, expert and technical help, structural reorganisation or widening the tax base.



City Development Plans and Their Implementation

Conclusions and Recommendations of a Seminar*

The Seminar was inaugurated on May 3, 1975 by Shri K. Raghu Ramaiah, Minister for Works and Housing and Parliamentary Affairs, Government of India. Welcoming the Minister and the participants from various parts of the country, Prof. V. Jagannadham, Director of the Institute, referred to the last two decades of Planning processes, the role of the Planning Commission and the absence of perspectives for Urban Planning and Development. He underlined the need of relating physical planning with Socio-Economic Development.

In his inaugural address the Union Minister, Shri Raghu Ramaiah, said that the coming of the modern city with all the new vistas of employment, social services and entertainment, has had an unsettling effect on the old economic conditions, upsetting the socio-cultural life of the rural people who flocked to the city so much so that India had today the third largest urban population amongst the countries of the world with heavy concentration in the bigger cities. This haphazard growth has led to proliferation of slums and shanty colonies on open lands as well as in the back lanes of New Delhi and other cities. As a result of the terrific increase the influx of population into the cities, all our plans for Urban infrastructure are fast becoming out-dated and our city governments are undergoing a frustrating experience in the face of deteriorating environment. He pleaded for evolving strategies to keep people back in villages and small towns by dispersing employment opportunities, developing ring towns and counter magnets and providing civic services and health and educational facilities in the country side.

The seminar was attended by Secretaries for urban affairs from a number of state governments, Chief Planners and Directors of Town Planning, experts from various institutions, representatives of planning and development authorities and senior experts and administrators from the Government of India.

A pre-seminar Workshop was organised on May 2, 1975 to discuss the Working Paper. About 30 of the participants joined the deliberations, chaired by Shri R. Gopalaswamy, Joint Secretary, Ministry of Works and Housing, Government of India. A general discussion on the "Goals and Strategies for Urban Planning and Development" was held in the opening session on May 3, presided over by Shri T. N. Chaturvedi, Editor of the Indian Journal of Public Administration. The participants were, then divided into three Working Groups on the following subjects :

- I. Programme Planning, Coordination and Monitoring.
- II. Organisation and Legal Tools.
- III. Budgeting and Finance for Plan Implementation.

The Working Group Reports were discussed on May 4, 1975 under the chairmanship of Shri N. N. Vohra, Secretary, LSG, Housing and Town Planning,

*Under the auspices of the Centre for Urban Studies of the Indian Institute of Public Administration, New Delhi, this Seminar was organised on May 3 and 4, 1975.

Punjab and Shri G. N. Dike, Administrator, Surat Municipal Corporation. Some of the highlights of the discussions of the Workshop and the Seminar are given below. These should be read as supplementing or emphasising the recommendations of the Working Groups.

Planning Goals and Strategies

The Seminar drew pointed attention to the human dimensions of planning. Questions were raised—"for whom do we plan"? "Are they implementable"? Most physical master plans, it was felt, tend to have an un-intentional bias for elitist plans with elitist standards that serve the elite clientele. There are not one but a number of publics and public interests represented by clientable groups, which in concept, are mutually supporting but operationally competing for scarce capital and revenue resources. It is poor and low income groups that are by far the most numerous of urban citizens and Master Plans are generally biased against these Groups. For instance the automobile appears to have precedence over the cyclist and the pedestrians. Implementation of unbalanced plans and programmes only create tensions and conflicts in the urban social order. Elitist view of urban development needs being reviewed.

Implementation ultimately depends on plans being realistic and acceptable. Plans must not be divorced from community's needs, power and capacities. It was felt there was little debate on the various aspects of the plan. One of the tasks of the urban planner is to set out clearly possible alternatives with due regard to client group requirements, specific objectives and available resources to provide the reference points for choice of most appropriate strategies and a political debate for complex decision-making.

There was a tendency to regard the city plans as mere extension of zoning regulations—tools of negative regulation and enforcement rather than instruments of development and programme implementation. Plans prepared by technicians and professionals are left to be enforced and implemented by a variety of disparate local authorities, often ill-equipped for an on-going exercise and follow-up action under fast-changing urban situations; so much so that a good many plans become outdated and their assumptions and conclusions might no longer be valid. The long-term perspectives of the Master Plan require detailed short-term programming along-with operational budgeting and projectisation for implementation. A city plan is not *a plan* but a series of plans - a rolling plan under constant review and change in the light of field experience and feedback. Plans must grow with implementation, involving innovations and development of methodologies suiting our own conditions.

The Seminar viewed the present practice of preparation of city development plans as one of expansion of the existing town into the peripheral areas; and underlined the need of developing planning strategies to enforce curbs on growth of unmanageable agglomerations, so that it should be possible to limit the size of cities and the direction in which they might expand. In this connection the Seminar underlined two imperatives :

- (a) Every city must be viewed as a part of the system of settlements in a given area. Physical plans must have regional dimensions overcoming rural urban dichotomy directed towards the development of a system of

human settlements with appropriate dispersal of human activities and employment potential. City plans must not be isolated plans but should be set in a regional frame to ensure development of counter-magnets.

- (b) Locational policies and Socio-economic plans and programme must be tied up with spatial physical plans at the macro and micro levels. This has not been happening in spite of professed policies for dispersal laid down in successive Five Year Plans.

Programme Integration

The Seminar underlined the need of a definitive action oriented approach on the basis of a concrete programme package spread into different phases for integrated implementation ensuring quick and effective impact. The Seminar took note of the fact that by and large, no intensive exercise for programme formulation and project preparation had been undertaken to give effect to the broad long-term objectives of city development plans. This required concerted action backed by appropriate technical expertise and inter-departmental cooperation, and determination of inter-sectoral and intra-sectoral priorities. It was also noted that priorities for built-up city areas may be different from those for the new expansion areas and regional towns. Again it was stressed that the priorities of institutions granting financial support in various sectors did not always coincide with the priorities as seen by local planning and development authorities.

The Seminar was of the view that isolated departmental programmes with their own sectoral thinking were a serious handicap to integrated metropolitan planning and development. A reference was made to empire building attitudes of the various departments. It was felt that while the various departments must specialise in their respective fields, their programmes and resources must find a synthesis at the regional and local levels and their priorities should find adjustment within the framework of an overall integrated programme of development in spatial terms to ensure the best utilisation of scarce resources with maximum benefits to the community of human settlements.

The Seminar also identified the need of adequate training of field personnel in drawing up programmes of integrated development, and it was noted that training workshops were being proposed to be organised by the Town and Country Planning Organisation in collaboration with the Centre for Urban Studies at the Indian Institute of Public Administration.

Urban Land Policy and Resources

It was recognised that the resource gap was rather wide and it had not been possible in most plans to adopt an urban land policy which has been developed to a great extent in Delhi but not in the states so far. The Seminar endorsed the needs of : (i) large scale acquisition and development of land, (ii) the most economic use of land as a scarce national resource, and (iii) a rational policy of reservation of land and its disposal in limited quantities on a leasehold basis. In order to make land a resource generating asset, the following requirements were identified :

- (i) provision of adequate seed capital by way of long-term loans to enable its being revolved;

- (ii) all land acquisition and disposal should be with the urban development authority which should function as the land bank;
- (iii) Socialisation of urban lands so that values generated by socio-economic activities should be ploughed back for the benefit of the community. This required amendment of the Land Acquisition Act to regulate the amount of compensation and special measures of urban land taxation to mop up unearned increments of land values.

Attention was drawn to the problem of flow of credit and the Seminar urged that sufficient seed money be made available to enable full exploitation of urban land as a resource. At the same time it was pointed out that financial allocations do depend on the initiative of the state governments and development authorities in drawing up integrated projects for Central support. Prompt and concerted action for land acquisition was also necessary. The need of making seed money available to medium towns as well was emphasised.

Apart from augmenting credit facilities there was need of local and regional level resource system planning. The Seminar recognised the role of taxes and grants for financing urban development and environmental improvements. There was a feeling that the 1935 constitution model assigning all sources of revenues between the Centre and the States had resulted in the neglect of local finances and the Seminar expressed the hope that the recent appointment of Municipal Finance Commissions in a number of States will help to correct the imbalances. Nevertheless the Seminar urged the local authorities to exploit their revenue resources fully by proper assessment and collection so that deficiencies in civic services in the existing city could be made up. The Seminar was also of the view that urban development authorities should have some specific sources of tax revenues allotted to them, such as betterment fees and development charges. In this connection the levy of Octroi in the Calcutta Metropolitan District and such other taxes as arise from increment in Land Values were cited.

The Question of the Agency

The problem of administrative organisation and the agency for integrated urban development emerged as a crucial issue in the deliberations of the Seminar. The recent trends to legislate for urban development authorities on the pattern of the Delhi Development Authority were noted. But simply setting up of an authority would not ensure appropriate organisation for achieving the objective. A number of questions were raised. What is its nature, role and functions? Is it a mere extension of bureaucratic control with departmental and sectoral overtones? Can it ignore responsibility and obligations to the public? Is it only one of the agencies or *the agency*? It was pointed out that the establishment of the Delhi Development Authority or other metropolitan development authorities had not been able to overcome the problems of coordination created by the multiplicity of agencies. Should they all be merged into an overall single authority? On the other hand it was not possible to ignore the necessity of specialisation considering the variety of technologies required for urban planning and development. The emerging view of the Seminar was that while detailed projection and execution will require specialised organisation, there must be an overall authority that can take a total view of plan implementation within the framework of the Master Plan, determine inter-sectoral and intra-sectoral priorities for the most viable utilisation of resources and their effective mobilisation, and undertake monitoring and review of the

programme to ensure that all the sectors concerned with urban planning and development keep in step with each other.

As regards the question of reconciling the structure of urban development authorities with the objectives of public participation and the relationship of such nominated bodies with elected municipal council, it was pointed out that weak municipal administration has been the legacy of local self-government institutions and they have been unable to undertake long-term large scale capital development work to meet a fast moving urban situation. Moreover notified area of a city is a legal fiction and there are problems of jurisdictions. The area covered by a city or a regional plan is much wider than municipal limits containing rural and urban local authorities with widely disparate capabilities, while none of them are equipped to undertake the tasks of urban planning and development which requires a different order of technical expertise and a new approach to budgetary planning and finance. The Bombay representatives referred to the constitution of the Bombay Metropolitan Regional Development Authority which provides for substantial representation to the Corporation of Greater Bombay and other local authority in the area along with nominated members totalling 43. As this was a large authority, there was provision for a small standing committee of 8 to 10 members. The Seminar felt that there was need of autonomous area wide authorities with due representation of local bodies and backed by necessary technical expertise.

The Will and Commitment to Urban Planning

The Seminar voiced a strong feeling that there were reservations in government mind not to say of public policies and attitudes and there was a lack of will and necessary commitment to urban planning and development. Government policies of planning and development continue to be dominated by a dichotomous approach to rural and urban affairs and there is not enough urgency to deal with the problems of deteriorating urban environment in an integrated manner. Moreover problems such as acquisition of land, removal of encroachments and unauthorised constructions, etc., generate tensions and conflicts with political overtones. There is lack of political will to take effective action in the urban context. But administration must also share the responsibility for failure to take effective steps under the mask of political pressures. The Seminar was of the view that policies and their execution have to take into account the political constraints and policy makers must function to mitigate the inhibiting effects of such constraints in larger interest. It is necessary to evolve a framework and devise structures that could function within the larger perspectives of the present political and social environment and minimise tensions and conflicts.

Recent Judicial Decisions*

THE AHMEDABAD MUNICIPAL CORPORATION V. RAMAN LAL & GOVIND RAM 1975 MCC 313 (Decided on 4.3.1975 by the Supreme Court).

Is the power conferred on the Commissioner by Section 437 of the Bombay Provincial Municipal Corporation (Gujarat Amendment) Act, 1963 to evict occupants from Municipal premises, unreasonable and violative of Articles 14 and 19 (i) (f) of the Constitution?

This question came up before the Supreme Court in appeals by certificate from a ruling of the Gujarat High Court which had held that Section 437-A, 437-F of the Bombay Provincial Municipal Corporation (Gujarat Amendment) Act, 1963 were *ultra vires*. Article 19 (i) (f) of the Constitution and that Sections 437-A (1) and (2) were *ultra vires* of Article 14.

The Municipal Corporation of Ahmedabad, the appellants before the Supreme Court had served notices upon the respondents under Section 437-A of the Act to show cause why they should not be evicted. On being satisfied at the enquiry at which the respondents appeared, that the respondents were in unauthorised occupation of the premises, the appellants served notice on them under the same section ordering them to vacate within one month of the date of notice.

The High Court held that Section 437-A insofar as it empowered the Municipal Commissioner to make an order of eviction in cases falling within section 437-A (i)(b), viz., that any person was in unauthorised occupation of any municipal premises, was violative of Article 14, as it was left to the arbitrary and unguided discretion of the Municipal Commissioner to adopt the drastic and summary remedy provided under Section 437-A (i) or to adopt the ordinary remedy of suit.

The High Court had also upheld the contention of the tenants that the machinery provided for eviction in Section 437-A (i) was unreasonable, because the Municipal Commissioner who was constituted the authority to determine whether condition of liability as set out in clauses (a) and (b) of Section 437-A (i) existed or not was the Chief Executive Officer of the Corporation which was the owner of the premises and the function of the Municipal Commissioner were such that in reality and substance he was a party to the dispute.

Then Supreme Court set aside the ruling of the High Court and held that Section 437-A did not offend Article 14 of the Constitution. The court relied on its own previous ruling in *Maganlal Chhaganlal's Case* (1974 MCC 268) where it had held that a statute which dealt with premises belonging to the corporation and the government and laid down a special speedy procedure in the matter of evicting unauthorised persons occupying them, was a sufficient reason to support such special

*Compiled by Shri M. K. Balachandran, IIPA, New Delhi.

procedure. The policy and the purpose of the Act made it clear that the legislature intended to make the statute applicable to a special class and provided a speedy method of recovering possession of those properties.

The Supreme Court also rejected the conclusion of the High Court that the provision in Section 437-A (i) was unreasonable because the Municipal Commissioner was in substance a party to the dispute. The court reasoned out thus : "The conferment of power on the eviction cannot be struck down as unreasonable on the ground that he is a judge in his own cause. He is the highest officer of the Corporation. The Corporation acts through these officers. There is no personal interest of the Municipal Corporation in evicting these persons. The Corporation represents public interest. The Municipal Commissioner acts in public duty in aid of public interest. The Municipal Commissioner will apply his mind to the facts and circumstances of a given case as to whether there should be an order of eviction. If the Municipal Commissioner will wrongly exercise his power, the action will be corrected in appeal."

The last contention of the petitioner that the provisions contained in Section 437-A of the Act imposed unreasonable restriction on the right of the respondents guaranteed under Article 19 (i) (f) was also rejected by the court. Here the petitioners put forward the argument that the two salutary safeguards, viz., providing an appeal to a court of law and conferring power on the commissioner to summon witnesses which were found in *Maganlal Chhagan Lal's Case*, were absent in the present case and as such the present case was distinguishable.

Rejecting this contention, the court pointed out that the provisions in the present case provided for giving a reasonable opportunity to tender an explanation and to produce evidence to the person concerned and as such the absence of a special provision to compel summoning of witnesses did not make the section unreasonable.

The court also held that "the fact that an appeal is provided to the state and not to a court of law did not make the provision unreasonable. In many statutes like the Sea Customs Act, the Mining Act, appeals are provided to the state government. This is because of the special character of things forming subject matter of these statutes. The state government will employ persons who are equipped to deal with such matters. An appeal to the state government will not indicate unreasonableness. If there is any abuse of justice or miscarriage of justice or violation of principles of natural justice, the courts are always open to redress such grievances."

RAJINDER SINGH V. STATE OF PUNJAB (1975 MCC 282. Decided on 24.4.1970 by the Punjab and Haryana High Court.)

Under sections 16 (1) and 22 of the Punjab Municipal Act 1911, is it imperative on the part of the state government to hold an enquiry and issue a show-cause notice, before exercising its powers to remove the Vice-President from office ?

The writ petition in this case was directed against the order of the state government directing the petitioner to be removed from the office of the Vice-President and from the membership of the Municipal Committee, Tankanwali, for his alleged abuse of power as Vice-President and flagrant abuse of his position as a member of the said Committee. In this case, the petitioner was said to have given shoebeating to a lady member at a municipal committee meeting. A show-cause notice was issued to the petitioner by the Secretary to Government, Punjab Local Government calling upon him to furnish his explanation. The petitioner submitted his reply denying the charge and also made a grievance that he was not shown the record on which the charges were based nor was he supplied with copies of any documents by the Deputy Commissioner despite repeated requests in writing. He also submitted that the Public Grievances Officer and Deputy Superintendent of Police had clearly exonerated him of the charge made against him holding that the behaviour of the lady member was more objectionable. He also submitted that the Deputy Commissioner had held another enquiry in which witnesses were examined behind his back and without giving him an opportunity to rebut the charges made against him.

The petitioner challenged the impugned order on the ground that it was violative of the rules of natural justice inasmuch as no real opportunity was afforded to the petitioner to explain the truth.

The state argued that the only requirement of law in terms of the statute was that before the state government notified the removal of a President or Vice-President, the reasons for his proposed removal should be communicated to him and his explanation in writing invited within a specified time and as such the court could not look into the preliminary enquiry leading to the show-cause. In other words, if a show-cause notice was given and an explanation received, that was sufficient compliance with law and the rules of natural justice could not be invoked.

The court pointed out that the very fact that the statute enjoined a particular procedure involving service of show-cause notice and providing an opportunity for an explanation to the delinquent office-bearer was indicative of the fact that the state government's function was of quasi-judicial in nature and as such should make a judicial approach. The court observed : "No show-cause notice can have any meaning unless it contains or is accompanied by a statement of allegation and an opportunity for explanation signifies that the person on whom such notice is served can rebut the allegation as made against him. It is assumed that the authority competent to punish will act with an unbiased mind and decide on receipt of the explanation as to whether the version given therein is correct or not. It may be that after the explanation has been furnished, no enquiry is necessary but there must, in any case, be some evidence on which the competent authority could reasonably act. This court, in the exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India, will not, of course, sit in appeal over the findings of the quasi-judicial authority but it must certainly examine the order of that authority and proceedings preceding the same to find out if the latter acted with an open mind and did have before it some objective data on which the conclusions arrived at could be based. The action taken by it should not verge on arbitrariness and give an impression of a pre-determined mind".

The court further held that the government acted in utter disregard of any procedure consistent with the rules of natural justice. The court pointed out that the evidence indicated that the state government had already made up its mind on the basis of the secret report of the Deputy Commissioner which had been made behind the back of the petitioner and without associating him with the same. The court observed : "In my opinion, the explanation was obtained just to satisfy the literal requirement of the words of section 22 without intending to comply with its spirit. The decision arrived at in this manner cannot be said to be a just decision by a quasi-judicial authority nor is the approach judicial. The procedure that was followed by the state government was virtually an abuse of its own authority reflecting no desire to act justly and fairly as one would expect from a quasi-judicial authority. The state indeed acted not objectively on some evidence before it, but arbitrarily."

The court further held that there was no material which could show the process of reasoning by which the Minister reached his decision with regard to removal of the petitioner who had a right to know how the mind of the competent authority worked after receipt of the explanation and the course adopted by the government was clearly violative of the rules of natural justice. The order was, therefore, quashed.

BALDEV RAJ SHARMA V. STATE OF PUNJAB 1975 MCC 179
(Decided by the Punjab and Haryana High Court).

Under the Punjab Municipal Act, 1911, is the state Government required to give notice to the Municipal Committee or affected person before exercising its powers to annul or modify a resolution passed by the Committee ?

In this case the Municipal Committee Ludhiana had by its resolution ordered the confirmation of the petitioner against a permanent post of Sub-fire Officer. A colleague of the petitioner filed a complaint before the state government stating that the resolution was not in accordance with the rules. On enquiry by the Deputy Director, Local Government, it was found that the petitioner was confirmed before the expiry of his probation period and that the seniority of the petitioner's colleague was not considered and as such was against the fundamental instructions, provided in the Punjab Civil Service Rules and was, therefore, liable for annulment. Accepting the recommendation of the Deputy Director, the resolution was annulled by the state government. The present petition was filed for quashing the government order of annulment.

After examining the relevant provisions of Municipal Act (section 236) the court observed that the Act did not expressly require the giving of notice to the Municipal Committee or to a third party affected by the resolution or the annulment order, before passing the order. Relying on the observations of the Supreme Court in AIR 1965 SC 1275m the court held that it was only the Municipal Committee whose resolution was annulled that could be said to have a grievance and the person to whom that resolution related, had no right to urge that he had not been given any notice or hearing before annulling the resolution.

The court held : "There is therefore, no merit in the submission of the petitioner that the impugned order passed by the Punjab Government is invalid because he was not given an opportunity of hearing before passing that order. In my opinion he has no right to challenge that order. If at all, that right vests in the Municipal Committee, Ludhiana, which has made no complaint about it."

SMT. SUSHILA DEVI V. MUNICIPAL CORPORATION OF DELHI (1975
MCC 203 Decided by the Delhi High Court).

Is the Municipal Corporation liable for failure to maintain a dead and dry tree besides the road to keep the road free from any danger to public ?

The plaintiff's husband was killed by the falling of a branch of an old tree which was standing besides the highway and belonging to the Delhi Municipal Corporation. Aggrieved by the incident, the plaintiff claimed compensation from the Accidents Claims Tribunal which dismissed the petition as non-maintainable. Later on, the plaintiff instituted the present suit alleging that the defendant who was the owner of the said tree, had been negligent in not removing the said tree at the proper time or not removing the danger from the said tree to the passersby and thereby resulting in loss of life of the deceased. She claimed Rs. 3 lakhs as compensation on account of value of the dependency of the family on the deceased.

The court, after going through the evidence placed before it, observed that the defendant Corporation had a legal duty to keep its properties free from danger to the passersby and that it had been grossly negligent in respect of maintaining the tree in question in good condition or removing it when it had become dead and dry and was a source of danger. Regarding the plea of the Corporation that nobody had made any complaint to them about the dangerous condition of the tree and that they never knew about it, the court observed : "This would disclose a callous attitude on the part of the defendant which owned the tree and in order to perform its legal duty, stood in need of a complaint from the members of the public instead of itself carrying out regular careful inspection which would have revealed the source of danger. In a matter like this, culpable negligence is to be attributable to the defendant and the doctrine of *res ipsa loquitur* would apply". The court agree with the plaintiff that the doctrine would apply to the effect that it was the mandatory duty of the defendant-corporation to make proper inspection of the property and to take all legitimate steps to keep the same in good condition and save the passersby. The court cited with approval the ruling of the Supreme Court in the famous *Clock Tower Case* (AIR 1966 SC 1750) where the Municipal Corporation was held liable for damages for not maintaining properly the clock tower owned by it and the collapse of which killed three persons using the highway passing by the side of the clock tower. In that case the Supreme Court had laid down the law as follows :

"The legal position is that there is a special obligation on the owner of adjoining premises for the safety of the structures which he keeps besides the highway. If the structure fall into disrepair so as to be of potential danger to the passersby or to be a nuisance, the owner is liable to any one using the highway who is injured

by reason of disrepair. In such a case it is no defence for the owner to prove that he neither knew nor ought to have known of the danger. In other words, the owner is legally responsible irrespective of whether the damage is caused by a patent or or latent defect”.

The court fixed the quantum of damages to be paid by the defendant-Corporation at Rs. 90,000.



News from Madras Municipal Corporation

Operation Dogs

Hydrophobia is a dreadful disease caused by the bite of dog infected with rabies. In Madras City there were about 30 deaths due to this disease in 1973. Several thousand people were treated in Government Hospitals for various types of animal bites, in particular bite of stray dogs. The precautionary treatment to be taken in case of dog bite, even though the dog later proves non-rabid, is quite painful.

To counter this horrible disease and to reduce the number of stray dogs in the City, the Corporation has taken up the following measures :

- (1) Intensive dog catching programme was taken up in the month of May 1974. In the five months from May to September, 12,260 dogs and bitches were caught and killed. Three Dog Catching Vans are now constantly going round the City to round up the stray dogs.
- (2) To protect pet dogs, single dose anti-rabid vaccine has been secured from the Haffkine Institute, Bombay, and is being administered free of cost to any licensed dog brought to the Zoo in the morning.

As the number of dogs which are now being killed is in the order of about 100 a day, there was the problem of disposal of the carcass. A research project was therefore set to find uses for the dead body. In association with the Central Leather Research Institute and the Chrome Leather Company, Chromepet, dog skins from dead dogs were tanned. It has been found that the dog skins make very good leather for use particularly for soft inner lining for shoes. When coloured, it can also be used for any other purpose such as making handbags, etc. An offer of Rs. 3 per raw dog skin has already been received from a prominent tanning company.

An average dog yields about 300 to 400 grams of animal fat which can be used for industrial purposes in particular for the manufacture of soap. The value of the fat is estimated at about Rs. 3 per animal.

What is called 'Dry Rendering Process' about 2 to 3 kgs. of dry meat can be recovered, which can be used as high proteineous animal feed (protein value 55 to 65%).

The meat value would be about Rs. 3 to Rs. 4 per animal. Finally there is a possibility of recovering about a kilo of bones for use as bone meal with phosphorus content as high as 14.53%.

On the basis of the present research the Corporation is at present planning to set up a Unit for recovering various by-products both from dog carcasses as also from other animal carcasses which are dumped on the rubbish pits. Dead animal carcass which is at present a waste, can be source of wealth to a small scale industry.

Corporation Finances

Thanks to the generous cooperation of the taxpayers of the city, and a rigorous tax collection drive taken up by the Corporation, there has been a significant improvement in the amount of taxes collected in the last one year (1st October '73 to 30th September 1974). The figures of collection for the period from 1st October to 30th September (constituting two half years) for the last three years is as follows :

	<i>Collection Rs. in Lakhs</i>	<i>Average Collection per working day Rs. in Lakhs</i>
	Rs.	Rs.
1st October 1971 to 30th September 1972	1075.45	3.58
1st October 1972 to 30th September 1973	1130.25	3.77
1st October 1973 to 30th September 1974	1384.14	4.61

The collection figures for 1973-74 (October to September) has been Rs. 2.5 crores more than the same period in 1972-73, and Rs. 3 crores in excess of 1971-72. The daily collection for the last one year (300 working days) was averaging Rs. 4.61 lakhs as compared to Rs. 3.77 lakhs in the previous year.

As a consequence of improved collection and tight financial control, the financial position of the Corporation has improved quite significantly. As on 1st October, for the last three years the Corporation has always had to be overdrawn in its banks. This year, for the first time, after wiping out an overdraft of over Rs. two crores existing last year, there was a cash balance of Rs. 24.18 Lakhs as indicated in the following statement :

<i>Cash Balance as on</i>	<i>Rs. in Lakhs</i>
1-10-1974	+24.18
1-10-1973	—238.00 (over draft)
1-10-1972	—101.34 ,,
1-10-1971	— 48.84 ,,

The Corporation would be in a much more comfortable financial position, but for the fact that because of the fuel crisis, and the inflationary pressures brought about by escalating fuel costs, the cost of almost all products have gone up. Even to maintain facilities given by the Corporation at the same level as last year cost much more this year. The cost of petrol and hence the maintenance of petrol-driven vehicles has doubled in the last one year. The price of common commodities needed for the facilities provided by the Corporation such as cement (for all construction), bitumen (for all road works), chlorine (for water treatment), tube lamps (for street lighting), medicines (for health services), white paper (for all correspondence) etc., are as follows :

<i>Name of commodity or material</i>	<i>Rate in 1973-74</i>	<i>Rate in 1974-75</i>	<i>Percentage of increase over last year's rate</i>
	Rs.	Rs.	
Cement	230 Per M.T.	350 per MT.	52
Chlorine	635 „	737 „	16
White Paper	2760 „	5165 „	87
Bitumen	525 „	972 „	85
APC Tablets	25 per 1000	80 per 1000	220
Sulphagunidine Tablets	30 per 1000	78 per 1000	160
40 W. Tube lights	9	14	55½
25 W. Cables	8	19	138

It may be noticed that almost all commodities in common use by the Corporation have gone up by over 40 per cent in one year. It is anticipated that shortly contribution payable by employees to the Family Benefit Fund will also have to be met from Corporation funds. This, with increased layout costs, will inevitably put up the labour bill by not less than Rs. 40 lakhs per year.

For this reason, while the financial position of the Corporation has improved, it will not be in a position to accede to the request of the property owners to reduce property taxes. On the other hand, despite increased costs, the Corporation will endeavour by an even more rigorous collection of arrears, and by spreading out its tax burden on all evenly, to continue to collect at a sufficiently accelerated pace so as to make it possible to put off a proportionate increase in property taxes, for a little longer.

Family Planning

The reason why Family Planning has not effectively reduced the population growth is because while the techniques are quite well known and are also practised by the middle and upper classes quite widely, there are many reasons why the techniques are not available to the poorer classes nor are they able to practise them. Most of the techniques of Family Planning other than the terminal method, need either restraint or privacy. Privacy is impossible in slum houses and restraint when there is nothing else to do after 8 p.m. is difficult.

The terminal method of Vasectomy or Tubectomy is also adopted by many people in the middle and upper classes. Here again, a combination of ignorance, fear of the operation, and news of a few cases which get complicated, cause people at the lowest levels to avoid going in for the operation. There is, of course, the natural human fear of the concept of an operation. As a consequence of all these, and many more including social reasons, such as the fact that poor people consider children as a form of old age insurance, population in the slum areas continues to increase at an alarming rate.

The figures of male sterilisations (Vasectomy) for the month of December for the last three years, viz., 1971, 1972 and 1973 are as follows :

	<i>December 1971</i>	<i>December 1972</i>	<i>December 1973</i>
Vasectomy	623	343	576

To increase the number of people coming forward to undergo the Vasectomy operation it is essential to counteract the fear of the operation and also to ensure that the person who is operated has absolutely no after-effects other than that he is sterilised. It is also necessary to give widespread publicity for the Family Planning Programme. To ensure this, the Corporation of Madras in association with the *Rotary Club of Madras* in proposing to set up a mass Vasectomy Camp at the Corporation Kalyana Mandapam building at Cemetery Road opposite to Government R. S. R. M. Hospital from 1st December to 20th December 1974. Towards expenses of this camp the Rotary Club has agreed to donate a sum of Rs. 65,000. Persons who wish to undergo the Vasectomy operation will be requested to go to the Kalyana Mandapam. They will be registered there and taken to the Government Stanley Hospital for the operation. After the operation they will be given the option of staying at the Kalyana Mandapam for three days. They will be provided good food and entertainment including Cinema Show every evening. They will be given good medical attention, including for any other medical ailment they have. When they leave after the third day by which time almost certainly it can be said that there will be no complication, they will be given the Government grant of Rs. 60 (Rupees Sixty) plus the special gift from the Rotary Club of a bag containing two measures of rice. It is hoped during the period of 20 days to sterilise at the Camp about 2,000 persons.

Social Service organisations may like to assist the Corporation of Madras and the Rotary Club by canvassing persons with over two children who would be willing to undergo the Vasectomy Operation. Incidentally the canvassers will be

paid the sum of Rs. 10 for every case brought forward by them. The persons brought forward however, will be checked for fitness to undergo the operation and should not exceed the age of 45.

To step up publicity for the Camp from the 11th November onwards, Family Planning Films are being organised in the three Corporation Circles around the Kalyana Mandapam, namely Divisions 1 to 30. It is also proposed to organise a Mass Procession on the 25th November in North Madras area to give publicity to the programme. Notices are also being displayed in prominent areas.



Book Notes

METROPOLITAN GROWTH : PUBLIC POLICY FOR SOUTH AND SOUTHEAST ASIA by LEO JAKOBSON and VED PRAKASH (eds.); Sage Publications; Inc., 1974, \$ 17.50, pp. 286.

This volume brings into focus several of the critical policy issues confronting the large metropolis of South and Southeast Asia and relates these issues to the broader perspectives of national planning and urbanization in the context of rapid metropolitan growth.

The introductory chapters present an analysis of two of the basic questions often raised in the debate on the role of the Asian Metropolis . . . is it successfully manageable? . . . is it performing a positive function in the context of development and modernization?

Case studies of Singapore, Karachi and Calcutta are utilized to present not only city—specific solutions—but to analyse and suggest strategies for resolving common problems of ethnicity, modernization, development policy, and master planning for cities and regions (on both physical and economic levels). Also described are three functional issues of critical concern in every Asian metropolis: water supply, housing and urban finance.

In the concluding chapter, the editors provide an overview of planning efforts to date in the various metropolis of South and Southeast Asia.

URBAN SOCIOLOGY IN INDIA by M. S. A. RAO (ed.); Orient Longman, New Delhi, 1974; Rs. 50; pp. 525.

The volume represents perhaps the first ever attempt to put together a number of significant studies, by Indian and foreign scholars, in the urban sociology of India. Some of the papers included here are reproduced from previously published as well as unpublished sources; a few have been specially commissioned for this volume. Two criteria have guided the selection of material; a bias towards empirical investigations rather than mere theoretical discussions; and, a concern for sociological analysis. The material is presented in nine parts : Theoretical Problems, Historical Aspects, Demographic and Ecological Aspects, Immigrant Communities and Neighbourhoods, Social Stratification and Mobility, Marriage and Family, Religion, Politics, and Urban Influences on Rural Life. Beside a General Introduction, each part has an introduction and select reading lists have been appended to all the parts.

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Editor

Prof. V. Jagannadham

Director, Indian Institute of Public Administration,
New Delhi.

Dr. Mohit Bhattacharya, *Assistant Editor*

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Supported by grant-in-aid from the then Union Ministry of Health, the Centre for Training and Research in Municipal Administration was established in December 1966 as a wing of the Indian Institute of Public Administration. The Centre has since been renamed as the Centre for Urban Studies which is currently being supported financially by the Union Ministry of Works and Housing. The Centre's main objective is to stimulate and strengthen urban and municipal administration and to create a national awareness about the problems of urbanisation and urban administration. Its major functions are to organise training courses, to hold seminars and conferences, to undertake research, to offer consultancy services on urban local government and administration and allied urban problems. In addition, the Centre is developing a documentation unit with a view to serving as a clearing house of information.

Editor
V. JAGANNADHAM

Asstt. Editor
M. BHATTACHARYA

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OUR CONTRIBUTORS

Shri KALYAN BISWAS is Deputy Secretary, Ministry of Works & Housing and Urban Development, Government of India. Shri M.K. BALACHANDRAN is Faculty Member of the Centre for Urban Studies, IIPA, New Delhi. Shri ABHJIT DATTA and Dr. MOHIT BHATTACHARYA are also Faculty Members of the Centre. Shri RAMASHRAYA SINHA is Reader at the Post-Graduate Department of Political Science, Rajendra College (Bihar University) Chapra, Bihar.

EDITORIAL

It is a stark reality that the country has been having a faster growth of population in urban areas. The major cities and towns in most states are experiencing rapid urbanization with its attendant problems — slums and squatters, unauthorised constructions, paucity of funds, and inadequacy of civic amenities. Some of our urban local institutions have not been able to cope up with the increasing problems or have not been known for efficiency; yet their contribution to local and national development cannot be underestimated. Unless the municipalities and corporations seek consciously to make a change in the internal organization and improve performance, their public image is likely to suffer. The clarion call for radical improvement has come from no less a person than our Prime Minister, Shrimathi Indira Gandhi. In her inaugural address to the 16th Meeting of the Central Council of Local Self-Government on October 23, 1975, she desired that the local bodies should mobilise their resources to tackle the problems of the cities and take the initiative in solving them. She urged that serious thought be given as to how to rejuvenate, to energise, if necessary, to reform or even change the pattern of our local bodies. The Prime Minister drew attention to the problem of people's involvement in civic affairs and suggested the formation of Mohalla Committees and Citizens' Committees in order to involve the citizens in keeping the localities clean and beautifying them. She emphasized the need for careful planning of the urban areas with green belts, playgrounds and housing projects, taking into consideration the integration of people of different vocations and levels.

This issue of Nagarlok carries five articles focused on the general theme of improving municipal government. The importance of municipal reform in a sprawling metropolitan

situation has been highlighted by Kalyan Biswas, while Ramashraya Sinha talks of changes in the executive structure in municipal administration. Abhijit Datta and Mohit Bhattacharya have dealt with the common problem of state-municipal financial relations and suggested institutional changes in inter-governmental relationship. M.K. Balachandran's paper centres round the problem of land acquisition in the context of implementation of city development plans. Obviously, there are many more facets of the major theme, which remain to be dealt with. Hopefully, the discussions in this issue will provoke fresh thinking on the subject and create an awareness of the need for changes and a will to implement them.

—EDITOR

Metropolitan Government as an Aspect of Municipal Reform in Metropolitan Calcutta*

IT is best to start with certain clarifications before the subject matter is analysed in detail. Firstly, the question of municipal reform is not the same thing as that of metropolitan government. This should normally be obvious but unfortunately it is not always so at least when the discussion centres on the nine big city corporations of India which also happen to be the designated metropolises in the Census. A municipality, one might remember, is created by the State Government by an act of law/executive order for the purpose of local government in an urban area. There is, however, no standard criterion or definition of a municipality in India. It differs from State to State. There is also no standard criterion of a city corporation in the country. Usually, however, a city (defined in the Census as an urban unit having a population of 1,00,000 and over; classified as Class I town numbering 142 in the country in 1971) having a population of million plus would have a corporation. In the absence of standard definition of either a municipality or a corporation, one can distinguish between the two mainly in terms of: (a) population, and (b) extent of executive and financial powers. Moreover the corporations have a different set of enactments, separate from the Municipal Acts in the States. There are 11 such Corporations Acts in the country. These are applicable to the cities of

Calcutta, Bombay, Madras, Delhi, Hyderabad, Bangalore, Patna, Chandannagore and Howrah. Of the thirty Corporations in the country, the remaining 21 are governed by 4 omnibus Acts.

"It may be mentioned here that the powers to give Corporation status to a city vests in the State Governments in U. P., M. P., Kerala, Maharashtra and Gujarat where general Corporation Acts are in force. In other cases Corporations can be set up only by an Act of the Legislature. In either case there has hardly been any clear criteria for converting Municipal Councils into Corporations. Some of the Corporations have lesser population than the leading cities of Punjab and Rajasthan where no Corporation Legislation has yet been adopted."¹ One might like to add that the decision to grant municipality status to a non-municipal urban unit and the process of "graduating from a municipality to a Corporation" are determined more by political factors than anything else.

Both the municipality and the Corporation are invested with an artificial personality which may own property, make contracts, sue and be sued, and, normally exist in perpetuity (the abnormal situation being their supersession). But they exercise only such powers as authorised by the State, and they may

*The opinions expressed in this article are purely the author's own, and do not in any way reflect official policy in this regard.

¹*Proposals for Model Legislation for Administrative and Financial Powers and Structure of Municipal Corporations* (Centre for Training and Research in Municipal Administration, Indian Institute of Public Administration, Indraprastha Estate, Ring Road, New Delhi, October 1971).

act only for a public purpose. Their powers may be altered or revoked by the State within limits imposed by the Constitution. In the current usages of the terms municipal or urban government/reforms/finance/politics, etc., the entities which are meant or referred to are the municipalities and Corporations.

The term 'metropolis' has been introduced by the Census in 1971 to denote cities with a population of 1 million plus. There are 9 such metropolises in the country which have also have their Corporations (excepting Poona). 'Metropolis', however, is still a new term in India as one is more prone to refer to them as "the million cities of India".

Census, however, does not use the words 'metropolitan area' or 'metropolitan region'. It has so far preferred the term 'urban agglomeration' to refer to the core city and the continuous urban unit attached to it. Thus the Census figures give the population figures of Calcutta/Delhi / Madras /Hyderabad/Ahmedabad/Bangalore / Kanpur /Poona urban agglomerations as also those of their core cities which are also shown as municipal corporations.² In fact it is the total population of the constituent urban units in the agglomeration which gives the figure of 1 million plus to designate a metropolis.

A metropolitan district or a metropolitan area may include (*i.e.*, where such exercises have been carried out) a larger demarcated area and population than the urban agglomerated area. This is because the boundaries of a metropolitan district or metropolitan area or even a metropolitan region includes non-urban areas also based on conventional geographical or planning criteria. The area and population of Calcutta

Metropolitan District (a planning demarcation by CMPO) for example, are greater than those of Calcutta Urban Agglomeration (Census definition). As a result, therefore, words like metropolitan government/administration are merely conceptuals and still now academic, and are not coterminus or collateral with definitions and concept in more popular uses.

In this paper the word 'metropolitan' with all its prefix uses will mean the planning boundary as delineated around a metropolis. The frequent references to the Calcutta Metropolitan District will therefore have the same jurisdiction as that defined by the CMPO.³

The second clarification that we would like to put across is that by reform of the metropolitan administrative structure we mean, in tune with the practice and trend of the relevant literature in vogue, the constitutional legal-administrative apparatus of the municipal situation in the CMD rather than the process of planning and management of the working of such an apparatus. This distinction between the 'external' aspect (*i.e.*, the management process) is important. The predominant trend in the literature on subject in this country has been to look at the organizational structures for management in local government rather than to the processes of management and policy formulation which the structures are designed to sustain. The movement for reform of municipal-government in the country could as well have concerned itself with remedying the inadequacies of the management systems in the local government and improving the process of development plan making at the municipal or metropolitan level. We cannot therefore say, as P. A. Eddison has done⁴ with reference to the Western experience that the movement towards

²*Pocket Book of Population Statistics* (Registrar General & Census Commissioner, India, New Delhi, 1972).

³See Alternative 1 in Section IV later, and also the *Year Book, April 1973—March 1974* published by Calcutta Metropolitan Planning Organisation in April 1974.

⁴P.A. Eddison ; "Comprehensive Planning for Local Government" reprinted in *The City: Problems of Planning*, edited by Murray Stewart (Penguin, Interdisciplinary Readings, 1972).

more effective local authority management and improved urban planning are converging in this country. "Common elements are being identified and new forms of planning are coming to the fore combining these elements. The concept of urban management might be a good description—it is very much a planning style given to local authority management. The process itself have attracted the level, corporate planning⁵. In fact one could go as far as to say that in this country the institutional approach not only excludes the internal management process of the urban government but also overlooks systematically the aspect of political environment and the political system involved careful consideration of which alone can give more depth and relevance to a unilinear structural approach. The concept of metropolitan government might include for instance "an analysis of the ways in which the urban political process responds to pressures generated by the expanding scale of urbanization. In this context, the emphasis is upon the properties and behaviour of metropolitan political systems, and involves the characterization of the political actors and the types of conflicts, elite structures, political communication networks, and process of conflict resolution in these areas"⁶ We have without doubt little research or evidence that such studies, even in a rudimentary form is available in this country. As a result all apparently sound and self-consistent institutional arrangements appear to be somewhat superimposed with some amount of ascriptive value attached to them on a particular socio-political milieu which is taken as given. This is, however, not the place to explore this relationship in details which the present author is attempting to do elsewhere. In sum,

then, being conscious of this particular deficiency, we will consider some important aspects of the structural (*i.e.*, external) reform of local administrative structure in the Catcutta Metropolitan District.

We will have done with this section after another cautionary remark is made. "When the needed distinction is made between problems which exist in metropolitan areas and problems which exist by virtue of the inadequacies of governmental structure in the metropolitan areas"⁷ much depends on the view point one takes basing oneself firmly on the ground conditions of a particular metropolis. There is no virtue by itself to rush in for a simplistic, uniform and symmetrical structure for 'one local government in one local area'. Technical considerations as much as planning and administrative judgements often make it difficult to say what the boundaries of an all-purpose metro-Government will be. The fact is that sweeping programmes of governmental integration in at least the major metropolitan areas in this country may invite political opposition to a far greater extent (and it may not also) and for a longer time to come than is usually imagined. (The importance of the political factor mentioned above therefore becomes doubly important.) A consideration of what is desirable in the way of organization ought to take into account the full range of problems. At any rate, arguments in favour of metropolitan integration on the grounds of administrative efficiency alone must compete with other arguments that favour fiscal burdens, availability of resources and political entrenchment.

Still then we toy with the idea of a

⁵P.A. Eddison, *op cit.*

⁶Robert C. Wood, "City—Metropolitan Government" in *International Encyclopaedia of the Social Sciences*, Vol. 2, 1968.

⁷Edward C. Banfield and Morton Grodzins: "The Desirable and the Possible" in *Urban Government: A Reader in Administration and Politics*, edited by Edward C. Banfield (The Free Press of Glencoe, New York, 1961.)

metropolitan Government for CMD because it is possible to identify some area wide functions which can be transferred to a government of general competence. Also, the argument for a larger area of municipal administration is persuasive in the long run because it can be shown that even the short run interests are not being better served per se by the fragmented governmental structure in today's metropolis. But the most important rationale for an endeavour like the one made in this paper lies in the hope for stimulating further studies and discussions to clarify some of the basic concepts involved in the hope that something more concrete and useful may emerge in the process. Our apprehensions is there because as I have mentioned in passing before, for all one knows, the current proposal for a larger area local government in the metropolis may as well get through at the required levels of political authority. Without adequate understanding of its implications the belated realization of which may stall its functioning altogether much to the dismay and frustration of its ardent and zealous supporters. Such a contingency in the present state of affairs cannot be ruled out altogether. "If the twin questions of what is desirable and what is possible in metropolitan organization are considered in all their complexity will be apparent that no single scheme of reform will be applicable everywhere. Every metropolitan area presents a special case, and only detailed consideration of the intricacies and idiosyncracies of a specific local situation can produce a 'plan' that is both desirable and feasible."⁸ It is with this end in view that some queries are raised in the following sections.

The concept "metropolitan government" will refer to, in this paper, "the political mechanisms and processes through which local public decisions are made, covering areas approximately coterminous with the territories in which modern urban economic and social systems function".⁹ There are in the literature on the subject several types of and approaches to this issue,¹⁰ of which 'metropolitan federation' as characterised by Robert C. Wood is the most relevant for us here. Metropolitan federation calls for the establishment of a government with jurisdiction over the entire metropolitan area, but with limited responsibilities, while the local units continue to perform 'purely local' functions. Usually such a plan provides for the participation of the smaller units in the policy making processes of the metropolitan government through some formula of representation on the latter's governing body. While the Greater London Council has adopted this principle and structure to a great extent, Toronto is universally recognised to be a complete case under this formula.

It is important to remember that the Basic Development Plan for CMD (henceforth referred to as BDP) does not refer to the concept of metropolitan government as such. It does, however, strongly recommend a regrouping of the 33 municipalities in the CMD into 10 large and hopefully viable municipalities at the local level¹¹. It drew pointed attention to the existence of the "metropolitan problem" by the presence of so

⁸Edward C. Banfield and Morton Gradzins, *op. cit.*

⁹Robert C. Wood, *op. cit.*

¹⁰W.A. Robson in his article "City Government in the Net" *Encyclopaedia Britannica*, Vol. 4, (1974, 15th edition) distinguish 4 major types of city government available in the Western World; see also, Luther Gulick: "Metropolitan Organization" in the *Annals of the American Academy of Political and Social Science*, 314 (Nov., 1957).

¹¹The *Basic Development Plan for Calcutta Metropolitan District 1966-1986* (Calcutta Metropolitan Planning Organisation, Development & Planning (Town & Country Planning) Department, Government of West Bengal, 1966), pp. 121-131.

many statutory independent bodies which prevented the establishment of an effective and responsible urban government in the metropolis especially in areas like land use, local finance and direction and maintenance of public service programmes. On the other hand, it was only after the Calcutta Corporation was superseded in March 1972 that the proposal of carrying out a thorough revision of the municipal structure in the form of a metropolitan government for Calcutta was mooted. Historically speaking therefore it is clear that the thinking process behind the two suggestions, namely, reduction of the number of municipalities, and establishment of a metropolitan government, in the CMD has progressed separately at different points of time. Although initially they were not contemporary, lately it appears that the two ideas are converging.

A two-tier structure of metropolitan government in which one metro government is responsible for what are clearly metropolitan functions and systems, and some number of local governments responsible for local function is the most advocated form for restructuring the local authority framework in the Calcutta Metropolitan District. Robson defends this system in general by saying: "The arguments for a two-tier system in a great metropolitan area are overwhelming, for only by such a method is it possible for the suburban and outlying districts to retain their identity and communal life whilst becoming part of the metropolitan area for the larger governmental purposes. Only by this means, moreover, can we hope to find a solution to the problem of providing the metropolitan area with a democratic system of local Government whilst also giving the citizen a smaller and more easily comprehensible unit of community life in whose

Government he can participate. It is perfectly feasible and logical to him simultaneously at both larger and smaller units of local government in metropolitan area; and to evoke in the citizens a sense of civic interest in both the larger community and the smaller. It may even be worthwhile establishing a federal type of Metropolitan Council, in which a proportion of the members will be elected by the minor authorities in the area, although we would insist that not less than half of them would be directly elected by the electors for the Metropolitan area, in order to ensure an adequate representation of regional outlook.¹²

The BDP for CMD sought to develop some criteria for defining services and functions best performed on a metropolitan basis¹³. In general, these services and functions can be summarised as those in which :

- (i) The performance of the function requires financial and organisational resources not within each of the local government units;
- (ii) there are overriding physical and engineering constraints that make the solution of technical problems difficult or impossible on the basis of a local area alone;
- (iii) planning considerations require the development of plans and policies for the function over areas such wider and larger than the merely local single municipality or other local government units;
- (iv) there would be distinct economics of scale if the functions are performed on a metropolitan rather than municipal basis; and

¹²W. A. Robson (ed.), *Great Cities of the World* (Allen & Unwin, London, 1975.), pp. 63-64.

¹³CMPO, *op. cit.*

- (v) there are financial and management disadvantages in allocating a particular function to the existing units of general civic government, thus making it difficult to isolate and identify the performance of the function as a business like operation with adequate returns on the investment, which justify large public units.

It should be pointed out that already certain amount of civic facilities are available for the areas beyond the territorial jurisdiction of the Calcutta Corporation, although the original service area of these utilities were and still continue to be the Calcutta City. These services are electricity, telephone, posts and telegraphs, gas, firebrigade and transport (partly). In other words, some kind of an extra-city operational area has already been recognised for quite sometime past in some fields. However, in certain other major fields this has not been so, for example, police—both law and order and traffic control and regulation, conservancy, transport (partly), fiscal bases, major land uses, local administration, etc. In fact the anomalies are so stark that, for instance, in Dum Dum or Jadavpur or Behala which are really part and parcel of Calcutta proper, growth has taken place because of their proximity to Calcutta, but its effects have not been mopped up by the Corporation. Nor have those areas benefited correspondingly because of weak institutional arrangements.

III

In a seminar on "Cabinet System in Municipal Government" organised by the Centre for Training and Research in Municipal Administration in New Delhi in September, 1969 various proposals regarding what particular constitutional character a reformed municipal administration should have were discussed. Some

alternatives were suggested out of which the following three seemed to have rallied some support:

- (a) The Mayor-in-Council as a variant of the Cabinet System;
- (b) The Mayor as the sole executive guided and controlled in matters of policy and finance by the Council of elected representatives and assisted and supported by the Commissioner in administration and execution (a variant of Committee system); and
- (c) Vesting all executive authority in the Municipal Manager-Commissioner who will be wholly answerable to the Council, as the City Manager in the U. S. A. (a variant of Presidential system).¹⁴

The basic common thread running through them all is the recognition that the Mayor must be made the real executive head and the focal point of urban affairs and politics. Of the three alternatives it is the Cabinet system which seemed to have received a greater support.

Without doubt such an approach is a radical departure from the existing system. Because it is so, in any question of the reform of the CMD Municipal structure, the following questions seem to be quite important.

- (a) *Geographically*, which will be most convenient boundary for such a system?
- (b) *Politically*, which will be the most acceptable and least harmful system?
- (c) *Inter-institutionally*, what are the relevant conflicts to look for in the local situation?

¹⁴CMA, IIPA, *op. cit.*, pp. 14-15.

- (d) *Planningwise*, what issues of planning and development are involved?
- (e) *Economically*, what are the steps involved to make the recommended system viable.

Geographically, there are at least three possibilities to what the area of the Metropolitan Government may be.

Alternative 1

The entire CMD, the boundary delineated by CMPO for planning purposes; area 532.87 sq. miles; population 8.2 million, includes 3 Corporations, 31 Municipalities, 63 non-Municipal Urban area and 507 Rural mouzas.

Alternative 2

Calcutta Urban Agglomeration. This is the Census concept; area, 221.21 sq. miles; population 7.01 million, includes 3 Corporations, 26 Municipalities and 45 non-Municipal Urban Areas. No rural mouze is included in this area.

Alternative 3

Calcutta Metropolitan Core, a boundary demarcated by CMPO for planning purposes; area 206.95 sq. miles; population 5.7 million, includes 2 Corporations, 9 Municipalities, 32 non-Municipal urban area and 121 rural mouzas.

There are obvious advantages and disadvantages of such geographical descriptions. Two important points, however, should be recorded straightaway. Even if the finally acceptable area of a two-tier metropolitan Government be the smallest of the three (*i.e.*, Alternative 3), the metro-Government's administrative jurisdiction may be gradually extended to cover the rest of the CMD depending on the pressure of the planning and operational issues and the trend of urbanization within the CMD. Such an approach nevertheless presupposes the fixity of the metropolitan

boundary which is not always the case. Nor does the limited jurisdiction of the proposed metro-Government preclude it from extending land use controls derived from development plans prepared for such areas as are not initially included within its jurisdiction, and as are so located strategically as to require controlled and purposeful development planning in the short or long run.

The second point is that it is possible and reasonable to distinguish between: (a) the apprehension of having a large municipal authority—apprehensions which may arise due to administrative and political complexities, and (b) a rational and sensible step which has to be taken both administratively and politically if the existing chaos is to be stemmed. "There are those who think that our biggest cities are already 'too big to govern effectively'. A little analysis will show, however, that is not the size that creates the 'impossible' situation. The biggest cities are smaller than the States and nations of which they are a part, yet no one says the State or the nation is too big to govern effectively. The problem is not the size; the problem is adjustment of management devices to the size which is forced upon us by events. And when it comes to this, it will be recognized that we must know how to deal with size".¹⁵

V

Politically, there can hardly be any doubt that the recommended metropolitan structure must be related to the core value of the contemporary political society. In other words, the recommended system should fit in well with the Cabinet system of Government existing at the State and National levels in a quasi-federal set-up where political executives are elected by direct adult franchise and where the non-political permanent civil service is subordinated

¹⁵Luther Gulick, "Needed—A New Layer of Local Self-Government", in Edward C. Banfield (ed.), *op. cit.*, pp. 89.

to the political executive. A logical implication of acceptance of this argument is to reject the existing anomaly in the power structure of the existing municipalities where indeterminate line of command has been one of the main defects.

Assuming that a cabinet system of Government is found acceptable for the metropolitan Government what precise details should be identified to give to a concrete shape? Details like organization powers and functions would be very significant. But these details do not really bother me as do some other questions. For instance, is there any possibility that the Mayor of the Metropolitan Government would be a potential political rival to the Chief Minister of the State, commanding as he would, enormous economic, political and strategic resources in the given metropolis? How would the Metro-Cabinet as a political executive face the State cabinet administratively? How would tensions and conflicts between these two bodies, which are bound to arise frequently over many issues, sought to be resolved? Then again, it is obvious that the State Legislature having direct constitutional power of its own will have to create the Metro-Council. The creature therefore cannot have overriding powers in relation to the creator. Will this fact in any way affect the Metro-Council *ab initio*? Side by side there is another political fact; the State Legislatures are as a rule under represented by urban or metropolitan representatives. There are only 68 Members of the Legislative Assembly, for example, in a 284 strong legislative assembly in West Bengal. Even with considerable under representation the lion's share of resource allocation and administrative attention is enjoyed by metropolitan Calcutta. Considering the national importance of this bit of

political geography it need not, *ipso facto*, be a cause of grievance. Yet in the absence of a total urban development policy in the State, will this trend be further strengthened? Cannot there be any other compensating factor(s) to make the situation more just and equitable? ¹⁶. The observation of Robert C. Wood¹⁷ would put this point in a capsule form: "Essentially, the rejection of comprehensive reorganisation programmes is due to the reluctance of the public at large and the political power structures within existing local government to relinquish political autonomy. Administrative efficiency and adequate financial resources have rarely been the main values of either the political leaders or the voters in metropolitan area. Instead the objectives of access to decision-making centres and of representation in policy deliberations have appeared as more important objectives". How do we resolve these questions then?

VI

There are various interesting possibilities in the area of inter-institutional relationship in case a metro level Government is set up. In this paper we would like to restrict ourselves to make comments only on some aspects of it.

The historical evolution of the urban local bodies in the country has been based on attrition and mistrust. That is one of the reason why otherwise normal functions of a city government like capital budgeting and investment, town planning, fiscal discipline etc. have not been given to bodies like Calcutta Corporation and Municipalities. These gaps have been sought to be filled up extraneously by such administrative devices as CIT, CMWSA and CMDA (notwithstanding the interuse contradiction among these institution) in that order. While these later institutions have played their parts

¹⁶A possible approach here may be to prepare an overall urban development policy for the State which will enable the State Government to give due attention to this problem. An exercise has been attempted by the author in this regard. See, *Nagarlok*, April-June, 1974.

¹⁷Robert C. Wood, *op. cit.*

in some way or the other, the role of the Corporation and the Municipalities have degenerated from "promotion and initiating" to "stay and holding" actions.

If the Metro-level body is set up in the proper manner, planning and development of the area will be its first charge. The physical planning function sought to be discharged by CMPO will find its logical place in that body. The point of consideration will be CIT and CMDA. These are mainly capital investing and budgeting bodies with the difference that CIT can levy and collect some charges which CMDA cannot. There is a great deal to be said to maintain the momentum of capital development programme at present being done under the aegis of CMDA and CIT. A regrouping of these bodies may be done as follows:

- (a) CMPO (physical planning) to Metro-Council;
- (b) CIT to Metro-Council; and
- (c) CMDA & Metro Council.

Here there may be two alternatives based on two approaches: (i) M.C. is not to be given major capital works at the outset. CMDA can remain as it is with a direct and subservient relationship to the M.C. (just as the State Development Corporations are to the State Government); or (ii) If M.C. is also to be entrusted with major capital works from the very beginning, CMDA stands abolished. Admittedly, this is a matter as much of judicious approach as of value judgements.

A pertinent point to discuss here would be the relevant of functional area-wide bodies in the CMD as was recommended by the BDP. The criteria of determining metropolitan level of functions mentioned earlier in Section II led to the conclusion that the CMD should have at least 7 such functional bodies. Thus the need of planning and execution both at the metropolitan and lower levels was sought to be met without necessarily having a 'metropolitan government'. As a matter

of fact, the BDP nowhere mentions this device. Organisationally, there can be two points of departure from such approach. First, it lacks comprehensiveness. It takes much too much of a compartmental view, as this arrangement would provide for no overall planning, integration or mutual adjustment and compromise. Each activity would go it alone, and there would be nobody to hold things in balance or to tackle a new development not originally provided for. It is doubtful if even something like a statutory Calcutta Metropolitan Planning Authority (a BDP suggestion) would solve the problem. Second, such functional metropolitan bodies would essentially be unrepresentative in character. The experience with Calcutta Metropolitan Water & Sanitation Authority which was set up in 1969 following the BDP recommendation paradoxically showed that if the element of unrepresentativeness is sought to be done away with by any overzealous political act the results can be equally unrewarding. Either way such bodies float around in a sort of irresponsible political limbo. Therefore the inescapable conclusion is that the two concepts of metro-government and area-wide functional bodies just do not hang together.

What kind of a relationship is the Metropolitan Government (assuming there is one) intended to have with the Panchayata and Zilla Parishads? For one thing, the metropolitan planning boundary is always going to include some non-urban areas for their potential urbanization. To what extent is the existing coverage of these areas by some institutional arrangements going to be changed by the proposed system and how? Secondly, with the impending changes in the Zilla Parishad Act where a 3-tier system is replacing the existing 4-tier system, is the metropolitan district going to be treated on a separate footing? If so, what would be the relationship between the Metropolitan and Non-metropolitan areas in the proposed system?

Four orthodox alternatives for the administration of the peri-urban areas were indicated by Mohit Bhattacharya¹⁸ as follows :

- (i) The retention of the rural local authorities (panchayati raj);
- (ii) municipalization;
- (iii) the establishment of a metropolitan authority (or authorities) for the whole of the Calcutta Metropolitan District including the peri-urban areas; and
- (iv) The institution of special local authorities.

The alternatives falls broadly into two classes :

- (a) change that do not fundamentally interfere with the existing form of local authorities, and
- (b) change that envisage fundamentally new arrangements.

Thus alternatives (i) falls under class (a) and the rest fall under class (b). Discussing the pros and cons of the various authorities, especially the alternative (iii) with which we are concerned in this paper, no categorical or reasonable line of recommendation could be indicated by Bhattacharya. The problem can be eliminated altogether, however, by adopting the boundaries of Calcutta Urban Agglomeration (alternative 2 in Section IV ante) for the metropolitan government.

VII

This is as good a place as any to break in with an examination of the issue

of planning in relation to the metro-government. Metropolitan urban planning in the spatial sense proceeds in stages and consists of several districts but related tasks. The first task is the formulation of a general plan (also variously called overall, comprehensive or master plan) of the area in question, based on schematic economic and infrastructural programmes (given or proposed) and demographic characteristics and projections over a time period with an explicit statement of goals. The second task would be the more detailed project preparation to supplement the generalised plan. Such an effort would require sufficient data (empirical or newly collected), engineering drawings, estimates, cost-benefit analysis, interlinkages spatial integration etc. so that all the project taken together conform to and or are further conditioned by the generalised plan. The third stage would be a periodical evaluation or stock taking of the planning so far made, to assess its impact and locate the gaps, so that "in-filling" and continuous planning is possible.

The conventional meaning of physical planning is the regulation and development of land use under powers provided primarily by a Town Planning Act. An alternative and much broader view of urban planning is that it covers all long-range questions about the character and development of an area, and the welfare and prosperity of its inhabitants, which are of concern to the Government. In the first view, the planning agency is an ordinary department conventionally organised, while on the second view it is a "staff arm" of the State Government as a whole, and particularly of its political leadership. This theoretical differentiation between two concepts of urban planning, however, is blurred everywhere in practice. Put another way, physical planning is always a major and crucial focus for the planning process in urban

¹⁸Mohit Bhattacharya, *Rural Self-Government in Metropolitan Calcutta* (Calcutta Research Studies No. 5) (Institute of Public Administration, New York, Asia Publishing House, 1965), pp. 86-99.

situation—whether one approaches the subject from the regulation of land use or from the integration of public services.

The second clarification which we would like to make is the role of such physical planning which we visualise. We would like to consider planning as the “staff arm” of the Government. This may sometimes be interpreted, as indeed it has been done in some cases, as if the planners are removed from entanglement with any particular interest; that they act as arbitrators, only laying down general policies and standards which all other developers must follow. This negative approach we would not entertain at all. On the contrary, our planning should besuch as would not only channelised and encourage growth in a logical manner, but would also coordinate our aims closely with those of the departments responsible for transportation, housing, schools and other forms of developments. This is, indeed, a difficult task to perform, but that way lies the salvation for planners. For instance, in the wake of CMD development in the municipalities and anchals (mainly road repairs and nikashi drains), pressures are already being mounted from the local people for better planning solutions to the particular areas where private development has taken place on a large scale. If the Metro-Government’s planning efforts for area development cannot face this increasing challenge, the failure will be as much professional as socio-economic at a high cost.

The relevant questions which arise out of the two questions immediately above are : should the CMDA continue in its present construct, or should it expand into (or be absorbed into) a new metro-government ? Should the CMPO continue to be an agency of the State Government or should it become the planning agency of the metro-government ? Should the metro-government have land use and new construction control, or, should that be a responsibility of the lower tier organisations ? Or, can this

responsibility be sub-divided like other responsibilities ?

VIII

It is self-evident that one cannot make decisions about the responsibilities that the metro-Government should have without parallel decisions being made about the means of providing the financial wherewithal to discharge these responsibilities. In many ways this is the crux of the matter. An imaginative and judicious division of resources between the State and the Metro Government is a must. As a matter of fact one can argue that any proposal for reorganising local Government in the CMD must start with an understanding if not an assurance from the State Government that it is willing to surrender all necessary powers, fiscal as well as administrative, to create fully responsible local Government in the CMD. The difficulty is that it is easier to raise a question like in which fields of taxation should the local Government be permitted to operate, than to answer it with any reasonable measure of certainty; given the pervading financial stringency hardly any State Government would be ready to forsake its fiscal powers to any other potentially powerful authority for obvious political reasons. Personally I think this particular point needs considerable rubbing in if one has to make any significant advance for a reform of municipal structure in the CMD.

If any major fiscal independence or co-sharing is not easily forthcoming, the other kind of financial relationship that can be conceived of is a pattern of grants-in-aid from the State Government, Central Government or Statutory Authorities. (Of course, grants-in-aid can also be made in addition to fiscal delegation). There is a widespread notion that cities should support themselves. But this view is no longer tenable. Calcutta is supported largely through its property tax. Clearly the demands on the local resources are rising much more rapidly than the returns from this inelastic tax. In

India there is as yet no important pattern of national subvention in the urban development Sector. The grants-in-aid element in the CMD Fourth Plan Programme was a distinct and welcome departure recently. But the current situation holds out no prospect of its continuing, which perhaps has relegated the prospect of having a policy in this regard.¹⁹

The question of development finance is critical for other reasons. For one thing, the scale of operations that is involved to sustain a metropolis of this magnitude is enormous by any standards and apparently there is no appropriate level of technology which has yet made itself available to match the demand and supply of urban services, whether of now or of future. Comparable experiences from apparently similar situations even in the developing countries just do not help. Moreover, most of the concern with costs has gone into the question of housing. And here also, although most of that concern has been unproductive, some progress has been made largely on reduction of space standards. Attempts at significant cost reductions through various forms of industrialisation and prefabrication have not been significantly successful. No major attempts have been made to reduce the cost of other investments. If this is the problem now at today's required scale of operations, just think of what the future holds even in normal conditions.²⁰ Assuming again that this scale of operations were somehow made available. CMD today with 2/3rds of the households having incomes of less than Rs. 300 per month and nearly

3/4 of the households incomes of less than Rs. 400 per month²⁰ it is quite impossible to provide and support the necessary paraphernalia for a twentieth century commercial-industrial city at this level of personal incomes. Yet even these people require public services of some reasonable standard.

IX

We have earlier noted the element of suspicion which has jaundiced the relation between the State Government and the Municipalities. Although the latter are euphemistically called the local Government institutions they are hardly so. The bodies which are taking decisions regarding investment in CMD infrastructure are pure and simple bureaucratic institutions, like the CIT or CMDA. There the Calcutta citizens have no representations even though they will be expected to pay for the programmes that are being undertaken, at least through indirect taxes. On the other hand the bodies like Corporation and the Municipalities which can claim some popular representation have been incapacitated due to prolonged structural defects. Whatever way one may choose to look at this, it is a grossly anomalous situation.

"The characteristics of urban growth and its concomitant problems have important administrative implications. First, to fulfil urban development functions Government must cope with constant charge. Second, its resources and activity must increase significantly. Thirdly, it must be equipped to handle demands of rising complexity and technically.

¹⁹A very useful report in this connection is *Rationalisation of Grants-in-Aid and Shared Revenue for Municipal Governments of West Bengal* by T.K. Banerjee (Calcutta Metropolitan Planning Organisation, July 1972).

²⁰For some of the projections made for CMD and West Bengal, see *A Memorandum on a Perspective Plan for Calcutta Metropolitan District and West Bengal, 1971-1989* (Calcutta Metropolitan Planning Organisation, August 1971).

²¹Quoted from an internal report of CMPO.

²²For a fuller treatment see Ali Ashraf, *The City Government of Calcutta—A Study in Inertia* (Calcutta Research Studies No. 9), *op cit.* Chaps 4 and 5. Also see Mohit Bhattacharya, *State-Municipal Relations in India* (Indian Institute of Public Administration, New Delhi).

Fourth, its organisation must be adopted to new functions and relationships. Finally, it must take into account the future consequences of present actions. The essence of urban growth is change economic, social and demographic. A basic administrative challenge of urbanization is, therefore, the necessity for coping with change itself. Solution to urban problems require developmental strategies."²³ Often, however, these developmental strategies do not go beyond certain administrative innovations some of which may even be half-hearted. This is because often Governments have had the illusion that they could handle all the problems relating to urban growth by administrative measures alone. As Lucian W. Pye has observed: "the Governments tend to fail to realise that effective administrative programmes are a necessary but not a sufficient condition for stable political development."²⁴ In other words whatever institutional arrangements may be sought to be devised, these should be such as would induct a large number of urban people into some form of politics. If stable and predictable forms of political activity in which there is a greater consistency in the relationship between power and values can be achieved or at least seem to be achieved, the chances are that the institutional arrangements may work better to the extent such political power and values are in tune with the ethos of a particular socio-political milieu; to that extent the prospects of success are even better. "Political Science has long recognised that institutional structure alone does not explain the behaviour of a political system; human actions within

that structure ultimately determine its output. Statements, of causality related to form mean only, therefore, that certain arrangements tend to increase the likelihood of certain results, not that they ensure any particular set of outcomes."²⁵

X

A metropolitan form of government quite obviously involves an areal division of governmental power between the State Government primarily and the Metro-Government. "By governmental power we mean the total capacity to govern which is or can be exercised by a given political community. Note that we are concerned here with *governmental* power and *political* community, not with the entire community power structure."²⁶ The concept of areal division of power is considered important in political science because it promises two things: it is designed to secure the values prevalent at a given time and place; and it is designed to distribute political power in such a way the Government can act decisively and effectively. Such an approach would presuppose that in the particular context we are discussing this issue, both the State and the Metro-Government will possess the power to govern generally. A spatially assigned authority which the Metro-Government would be, it is thought, will be in a better position than either the State Government as a whole or undersized Corporation as such to achieve certain given social, political and economic ends of a particular community. Such an approach would therefore like to do away with fragmented municipal authorities since

²³Annmarie Hanck Walsh, *The Urban Challenge to Government—An International Comparison of Thirteen Cities* (Institute of Public Administration, New York, 1969), p. 9.

²⁴Lucian W. Pye, "The Political Implications of Urbanization and the Development Process", reprinted in Gerald Bruse (ed.), *The City in Newly Developing Countries—Readings on Urbanization and Urbanization*, Prentice Hall Inc. (1969).

²⁵Annmarie Hanck Walsh, *op cit.*, p. 16.

²⁶Arthur Maass: "Division of Powers—An Areal Analysis" in *Area and Power* edited by Arthur Maass (The Free Press Glencoe, Illinois, 1959).

these stand in the way of a new layer of government at the metropolitan level.

The concept of an areal division of power (adp) between the State and the metro-Government as we have understood it above may raise some other more fundamental issues identified by Hoffman²⁷ but which do not always get discussed in our context. These issues would be—an adp can be seen primarily as an technique for the organisation of governmental power—a device internal to the Government, adp can be discerned primarily as part (and part only) of a larger problem—the organisation of society; and thirdly, precisely because an adp raises both the problem of the internal arrangement of governmental power and the problem of the balance of forces in society, a discussion of such a decision leads to the even larger problem of a desirable equilibrium between society and government.

What can we say in our context, even as a sweeping generalization to these points raised? One can reasonably discern that urban-service politics in this country, to the extent it is present, is still dominated by public officials and political leaders and that the question of urban government—to the extent it is supposed to reflect the community's interest, participation and involvement in urban issues—is still not the target of effective revolution of rising expectations. Urban politics therefore is still an integral and indistinguishable part of State or national politics and elections in the metropolises at least are still not fought on metropolitan issues but on national and international issues.

To my mind, the current literature on the subject of reorganisation of metropolitan structure does not take

into account these questions adequately. This may as well be due to a political approach to the question which is more predominant in our literature and to which I have already drawn our attention at the very outset. Perhaps therefore we ought to raise more questions on such issues as spheres of responsibility, manner of public representation and election, division of powers and responsibilities between elected and appointed persons, etc. The trouble with the proposal of creating a Metro-Government, is that we are often carried away with the grandeur of the scheme without pausing to ponder over its basis too deeply. For instance, I have referred above to the importance one should attach to representation and participation in the civic Government by as large a part of the community as possible. But, as Ylvisakar opines,²⁸ "no one has ever demonstrated, except by reference to exceptional cases, that participation, loyalty, and interest increase as political boundaries more nearly coincide with 'natural' social groupings or economic areas (the proposition might be tested in a very rough way, sometime, by simply checking the voting turn-out and other indices of participation in more homogeneous, as against more heterogeneous, constituencies)".

Questions, therefore, do raise themselves; questions which are comparable, unique, rejectable and sustainable; questions which are critical but may be clumsy sometimes. My purpose in raising an array of questions I hope will not be misconstrued. One need not dogmatically be an opponent of the concept of a metropolitan government in the CMD. Perhaps, ultimately this is the solution. All that I am pleading for is some kind of a forethought of the issues

²⁷Stanley Hoffman, *The Areal Division of Powers in the Writings of French Political Thinkers in Area and Power*, *op cit.*

²⁸Paul Ylvisakar, "Some Criteria for a 'Proper' Areal Division of Governmental Powers", in *Area and Power*, *op cit.*

involved, the scale involved and the politics involved in the situation so that at the point of taking the final decision all the alternatives are more or less open to us and none of the options forecloses itself prematurely. I am also aware of the fact that we cannot and need not look for all the data and analysis in a pure and perfect form. That is simply asking too much. Yet I would like to reassure myself on at least the major aspects be-

fore I choose a particular institutional arrangement. After all, the ultimate test of governmental institutions is whether they express, serve and help realise the basic values of the society they are intended to serve. I am not sure if we have adequate knowledge and information *at present* to plum for any form of metropolitan government in CMD or in any other metropolis in India to satisfy this test. Hence my queries.



Land Acquisition and Implementation of Development Plans

IT has been pointed out time and again—not without substance—that one of the main handicaps in the speedy and successful implementation of the development plans is the inordinate delay and difficulty in obtaining possession of the land sought to be acquired for the purpose. A number of development plans, it is said, have been delayed and even halted because of the invocation of judicial jurisdiction by private rights. The general complaint of the authorities is that the courts are more eager in protecting individual rights rather than upholding the acquisition proceedings thereby jeopardising the development activities of the state. Court decisions relating to payment of compensation for the lands acquired are pointed out as examples in support of this contention. Such decisions, it is said, had created difficulties in the implementation of the schemes of social engineering proposed by the government and other authorities, as the meagre resources of the state could not permit payment of full compensation on the basis of market value for the acquired lands. On the other hand, the land owners try to establish that in a number of cases they have been awarded only nominal or illusory compensation for the lands acquired by the state, thereby making the constitutional guarantee of their right to property, a nullity. The attempt in this paper is to evaluate the weight of the respective arguments through an analysis of the constitutional provisions before and after the Twenty-Fifth Amendment and

the judicial decisions relating thereto, with a view to identify the legal bottlenecks that stand in the way of successful plan implementation and suggest remedial measures.

Land Acquisition Provisions under the Development Acts

The power of the sovereign to take private property for public use and the consequent right of the owner to compensation are well-established. Under the Development Acts there are provisions in existence for acquisition of land for the purpose of planning and development. Such acquisitions are deemed to be for “public purpose” and generally, the provisions of the Land Acquisition Act 1894, particularly those relating to the payment of compensation are made applicable (with or without modifications) in acquisition proceedings. Some of the Acts provide for the establishment of Tribunals for the determination of the disputes relating to compensation and the award of such tribunals is made final. The general procedure is for the authority for whose purpose the acquisition is proposed to be made, to approach the government which in turn is to set the law in motion and acquire the land in accordance with the procedure prescribed under the relevant Act and transfer it later to the authority concerned after receiving the compensation payable together with the expenses incurred for the acquisition.

The Land Acquisition Act, 1894

The Land Acquisition Act, 1894 being a pre-constitutional piece of legislation was not required to satisfy the requirements of the Constitutional provisions. It was enacted at a time when large scale acquisition of lands for various development projects, big and small, were not visualised by the legislature. Some state legislatures have amended the 1894 Act for meeting the requirements of the various development projects. Under the Constitution, "Acquisition and Requisitioning of Property" is placed in the Concurrent List and as such both the Union and the States are empowered to enact laws relating to acquisition or requisition of property. In pursuance of this power some states have enacted separate self-contained acquisition laws for application within their respective jurisdictions.

The Constitution

The 1894 Act provides for acquisition of land for a public purpose and for a company. While it does not contain an exhaustive definition of "Public Purpose", it makes the executive determination of the existence of a public purpose final and non-justiciable. Under the Constitution, the existence of a public purpose is a condition precedent to the exercise of the power of compulsory acquisition by the state. Article 19(1)(f) of the Constitution guarantees the right to property to the citizens by declaring that all the citizens shall have the right to acquire, hold and dispose of property subject only to the reasonable restrictions to be imposed by law in the interests of the general public. Thus, this right is not absolute but is subject to certain limitations in the nature of "reasonable restrictions". Article 31 reinforced this right against state action

by guaranteeing the right not to be deprived of property "save by authority of law" and without payment of compensation. Thus, the obligation to pay compensation for acquisition of property has been raised to the status of a fundamental right. Under the original Article 31 the adequacy of the compensation provided by an Act was open to scrutiny by a court. However, the face of this Article has been considerably changed by the First, Fourth, Seventeenth and recently by the Twenty-Fifth Amendment to the Constitution.

Regarding the determination of compensation payable in the case of compulsory acquisition, the first important decision was the *Bella Banerjee Case*¹ where the Supreme Court had held that the word "compensation" in Article 31(2) meant a "just equivalent of what the owner has been deprived of" and insisted on "full indemnification" of the expropriated owner. The consequence of this decision was the Constitution Fourth Amendment Act, 1955 by which the adequacy of compensation was made non-justiciable. But, in spite of this exclusion of judicial jurisdiction, the Supreme Court held that the courts would still have jurisdiction to examine whether the compensation fixed was "illusory" and whether "the principles were unconnected to the property acquired", for in either case, "it can be said that the Legislature committed a fraud on power, and therefore the law is bad". This, in substance, is the view expressed in the *Vajravelu Case*² and the *Metal Corporation Case*³. However in *Shantilal's Case*⁴ the Supreme Court took a different view by holding that the amount of compensation payable, if fixed by the legislature, is not justiciable because the challenge in such a case would be only a challenge to the adequacy of compensation. But in the *Bank*

¹AIR 1954 SC 170.

²AIR 1965 SC 1017.

³AIR 1967 SC 637.

⁴AIR 1969 SC 634.

*Nationalisation Case*⁵ the Court again went back to the position in the *Vajravelu* and *Metal Corporation* Cases and held that "the object of the principle for valuation must be to pay to the owner what he has lost" including the benefit of advantages present as well as future.

Then came the Twenty-Fifth Amendment. Under this Amendment the expression "compensation" in Article 31 (which had created all the confusion after the Fourth Amendment) was substituted by the term "amount". It also added a new clause, viz., Article 31 C which gives unrestricted powers to Parliament to give effect to the Directive Principles of State Policy enshrined in Article 39 of the Constitution.

The Twenty-Fifth Amendment

The Amendment seeks to do away with the consequences of the Supreme Court decision in the *Bank Nationalisation Case* in which the Court had held that the word "compensation" in Article 31(2) meant the "just equivalent" in money of the property compulsorily acquired. In other words, the Amendment is directed to bar the jurisdiction of the court in matters relating to the compulsory acquisition of private property with a view to accelerate the pace of progress by rapid implementation of the directive principles contained in Article 39 (b) and (c). After the Amendment, the State is in a position to acquire the property of a citizen for a public purpose by paying an "amount" which is less than "just equivalent" in money—or less than market value—of the property sought to be acquired.

Acquisition Law and Article 14

Before going into the effect of this Amendment on the acquisition proceedings for the purpose of implementation of development plans, it is necessary to point out here that a law relating to com-

pulsory acquisition of property is liable to be struck down if it does not satisfy the requirements of Article 14 of the Constitution, unless the operation of the Article is specifically excluded by the Constitution itself. In fact the courts had struck down a number of legislations on land acquisition on the ground of violation of this Article. Thus, in the *Vajravelu Case*, the Land Acquisition (Madras Amendment) Act, 1961 was struck down on the ground that it had provided for acquisition of land for a housing scheme on payment of lesser compensation than what the owner would get for the same land or a similar land if it was acquired for a public purpose like hospital or university under the original Land Acquisition Act, 1894. The court held that the law made an unjust discrimination between owners of lands similarly situated and was, therefore, violative of the equality provisions of the Constitution.

The Nagpur Improvement Trust v. Vithal Rao

Now the question is: Has the Twenty-Fifth Amendment in any way helped in the acquisition of properties at less than the market value for the purpose of implementation of development plans? The post amendment decisions indicate that the answer is in the negative. In *Nagpur Improvement Trust v. Vithal Rao*⁶ the Supreme Court held that the amendment made by the Nagpur Improvement Trust Act to the Land Acquisition Act regarding the fixation of market value for the purpose of payment of compensation was violative of Article 14 of the Constitution. In this case, the main contention of the petitioner was that the Improvement Act was in violation of Article 14 of the Constitution inasmuch as it empowered the acquisition of lands at prices lower than those which would have been payable if they had been acquired under the Land Acquisition Act, 1894. The court

⁵AIR 1970 SC 564.

⁶AIR 1973 SC 689.

struck down the impugned provision on the following grounds :

- (i) the owner whose land is acquired under the Improvement Act is paid compensation not according to the market value of the land, but the market value according to the use to which the land was put at the date with reference to which the market value is to be determined in that clause. In other words, if the land is used for agricultural purposes, even though it has a potential value as a building site, the potential value is to be ignored.
- (ii) the owner does not get a solatium of 15 percent which he would have got if the land had been acquired under the Land Acquisition Act.
- (iii) while the state can make a reasonable classification for the purpose of legislation, the object itself should be lawful and cannot be discriminatory. If the object is to discriminate against one section of the minority, the discrimination cannot be justified.
- (iv) A classification based on public purpose is not permissible under Article 14 for the purpose of determining compensation unless the owner of the land himself is the recipient of benefits from an improvement scheme and the benefit to him is taken into consideration in fixing compensation.
- (v) Different principles of compensation cannot be laid if the land is acquired for or by an Improvement Trust or Municipal Corporation or the Government, because as far as the owner is

concerned it does not matter to him whether the land is acquired by one authority or the other.

- (vi) It is equally immaterial whether it is one Acquisition Act or another Acquisition Act under which the land is acquired. If the existence of the two Acts would enable the state to give one owner different treatment from another equally situated, the owner who is discriminated against can claim protection of Article 14.
- (vii) While accepting the contention that in many cases the value of the land had increased not because of any effort by the owner, but because of the general development of the city in which the land is situated, the court pointed out that Article 14 prohibited the expropriation of the unearned increment of one owner while leaving his neighbour untouched. "If the object of the legislation is to tax unearned increment it should be done through the state. The state cannot achieve this object piecemeal by compulsory acquisition of land of some owners leaving others alone. If the object is to clean slums it cannot be done at the expense of the owners whose lands are acquired unless the owners are directly benefited by the scheme. If the object is to build hospitals it cannot be done at the expense of the owners of the land which is acquired. The hospital, schools etc. must be built at the expense of the whole community", the court observed.

Sarwan Singh v. State of Punjab

The decision in the *Vithal Rao Case* was followed in subsequent cases also.

However, in a very recent case viz., the *Sarwan Singh Case*⁷ the Supreme Court made a distinction between the character of the acquisition under the Land Acquisition Act and that under the Improvement Act and held that "this difference has a definite and intimate nexus with the principal object of the Act, namely, improvement of towns which is the dominant purpose". In this case, land was acquired for a development scheme of the Ludhiana Improvement Trust under the provisions of the Punjab Town Improvement Act. For the purpose of acquisition of land for the Trust, the provisions of the Land Acquisition Act are made applicable with certain modifications. As per the modifications, a Tribunal is constituted for the purpose of acquisition under the Improvement Act and the award of the Tribunal is made final. Again, the Act has amended the provisions relating to the fixation of market value under the Land Acquisition Act by prescribing some supplemental principles for determining the market value of the land according to the use to which the land was put at the material date.

The petitioner, in this case, contended *inter alia* :

- (i) that the two rights of appeal which were available under the Land Acquisition Act were denied when land was acquired under Improvement Act and as such the provision under the Improvement Act was violative of Article 14 of the Constitution.
- (ii) that there was a clear discrimination when land was chosen to be acquired under the Improvement Act when it could have been done under the Land Acquisition Act and as such there was an infringement of Article 14 of the Constitution.

Rejecting the above contentions the court held that the lands acquired for the Trusts under the Improvement Act

could be reasonably placed under a well-defined category in view of the scheme underlying the detailed provisions in the said Act. The court made the following observations which are illuminating :

"Here the object of the Improvement Act being improvement of the towns, covers a specific, though a wide, field as may be evidenced by the elaborate provisions for preparation and implementation of schemes by the Trust under the said Act... the government under the Acquisition Act acquire land for public purposes without the preliminary requirements of any scheme for utilisation of the particular land. On the other hand, under the Improvement Act there is a statutory obligation upon the trust first to frame appropriate schemes in which case the matter is likely to take air, and the public as well as the land owners may benefit materially from knowledge of acquisition prior to the actual notification under Section 36 as against a preliminary notification under Section 4 of the Acquisition Act which appears in the gazettee all of a sudden. *This pre-acquisition difference of procedure is significant as the material date for determination of compensation in either case is the publication of notification under Section 36 and Section 4 respectively.*" (Emphasis added)

On the above reasoning the court held that "no valid exception can therefore, be taken to adaptation of the Acquisition Act with modification to suit the requirements of the Improvement Act and in particular to the deletion of the provisions of appeal under Section 54 of the Acquisition Act. Acquisition of land under the Improvement Act admits of a reasonable basis of classification and Section 59(a) is, therefore, not violative of Article 14 of the Constitution."

The court refused to interfere with the quantum of compensation as there was "no case of gross injustice or discrimination".

Analysis of the Decisions

The ruling of the Supreme Court in *Sarwan Singh's Case* that the land acquired for the trusts under the Improvement Acts can be reasonably placed under a well-defined category in view of the schemes underlying in those Acts without violating Article 14 of the Constitution, is a welcome deviation from the earlier view it had taken in *Vithal Rao's Case*. The reasoning of the Court based on the pre-acquisition difference of procedure under the Land Acquisition Act and the Town Improvement Act sounds logical and must give some relief to the planning authorities in matters of acquisition. It may, however, be pointed out here that it is surprising that the court did not make any reference to *Vithal Rao's Case* (which was followed by the Supreme Court in subsequent cases) even though the question raised in both the cases had some similarities. It may also be mentioned that the court did not make any direct ruling on the point decided in *Vithal Rao's Case*, except by an observation that "no valid exception can be taken to the adaptation of the Acquisition Act with modification to suit the requirements of the Improvement Act...", in view of the pre-acquisition difference of procedure under the Acts. Further, while the *Vithal Rao Case* was decided by a constitution bench of seven judges, the ruling in the *Sarwan Singh Case* was given by a full bench of three judges and as such it is doubtful whether the later decision would prevail over the earlier one unless and until the former one is overruled by another Constitution bench.

Another important point: The historic Twenty-Fifth Amendment has not in any way influenced the decision in *Sarwan Singh's Case* in upholding the relevant Town Improvement Act because the reasoning of the decision would have had the same validity even if the decision were given before the Amendment.

Conclusion

Whenever the court strikes down an administrative action for non-compliance

with the procedural obligation of the Land Acquisition Act, the modern tendency is to criticise the court as standing in the way of implementation of development plans without being bothered about the inadequacies of the legal provisions. It may be worth remembering that the court's function is to interpret the law passed by the legislature and declare what the law is, while it is the legislature's function to make it what it ought to be in tune with the demands of the changing time. When the court invalidates a welfare legislation on the ground of "unjust discrimination", the court is not to be blamed, for the court has to pass the order in accordance with existing law and it is for the legislature to remove the discrimination. If the implementation of the development plans demands quick acquisition of land at less than the market value, a legislative programme for rapid acquisition bypassing the normal time consuming and expensive land acquisition process, must be evolved. It is unfortunate that the enthusiasm with which the historic Twenty-Fifth Amendment was passed through the Parliament, has faded away soon after the Amendments came into effect. If follow-up legislations consequent to the Amendment are not enacted, the blame is not on the judiciary but on the legislature. When the Amendment enables the state to pay less than the market value by way of compensation for compulsory acquisition of property where it cannot afford to pay full market value there is no reason for not carrying out the required amendment in the acquisition laws. It is high time that suitable Amendments are made in the various laws dealing with the acquisition of property starting from the original Land Acquisition Act of 1894 and covering up the Development Acts for the speedy implementation of the plans.

Yet another point: The existing procedure for acquisition under the Land Acquisition Act is too dilatory and time-consuming and does not suit the requirements of the development plans. Some of the Development Acts, as has already

been pointed out, have made provisions for the constitution of tribunals and their decisions in matters of acquisitions are made final. The Supreme Court in *Sarwan Singh's Case* has upheld this provision and held that "the legislature by making the order of the tribunal final, seeks to avoid delay in the course of litigation to defeat the purposes of the scheme framed under the (Town Improvement) Act".

One of the main advantages of tribunals is that they are quicker in settling disputes than the ordinary courts and they are in a better position to avail of the special knowledge of experts in the field. It is, therefore, suggested that necessary amendments may be made in the Development Acts so as to exclude the jurisdiction of the courts in matters of acquisition by creating tribunals comprising of efficient experts in the area.



An Outlook for Municipal Finance Commissions

THE suggestion for appointing State-municipal finance commissions before the constitution of the Federal finance commission was made by the Rural-Urban Relationship Committee (p. 88)¹ :

to examine the financial requirements of local bodies for meeting their financial obligation for water supply, sanitation, health and other obligatory services and expenditure on schemes of planning and development.... The Commission should make an assessment of prospective revenue which the local body should be expected to realise from the resources allocated to it and lay down the scale for sharing certain taxes divisible between the State Government and the local bodies. After adding the revenues which the local body can realise from non-tax resources, the balance may be covered by grants-in-aid to the local bodies out of the consolidated funds of the State.

The idea of having municipal finance commissions was an improvisation over the two earlier grants-in-aid committees in Kerala (1964) and Gujarat (1965). However, it took some time for the idea to gain acceptance with the State Governments and valuable opportunity was lost to present their financial requirements on account of local government either before the fifth and sixth Finance Commissions or the Planning Commission during the formulation of the

fourth or fifth Five Year Plans. In 1972, the Central Council of Local Self-Government and the All-India Council of Mayors urged the State Governments to appoint Municipal Finance Commissions periodically to examine the financial requirements of the local bodies. It was felt that unless the State Governments appointed such commissions, the demand for constitutional reservation of local taxation would gain momentum.

Recently, a number of State Governments have appointed municipal finance commissions, such as, Maharashtra, Kerala, Karnataka, Orissa, Rajasthan, Tamil Nadu, Bihar and West Bengal. In a few states, like Assam, Madhya Pradesh and Punjab, the State Governments are actively considering appointment of such commissions, while in Haryana a State committee on resources (1973) and in Gujarat a grants-in-aid code committee (1972) are expected to meet the same objective. So far, only Maharashtra municipal finance commission (1974) has finalised its report. It is intended to have a closer look at the Maharashtra and the Gujarat reports to identify their similarities and differences and evaluate these against the original objectives of such commissions quoted earlier.

Gujarat and Maharashtra Reports

Terms of Reference: The Gujarat committee² was required to study the

¹*Report of the Rural-Urban Relationship Committee*, Vol. I, Government of India (Ministry of Health and Family Planning), Delhi, 1966.

²*Report of the Grant in Aid Code Committee for Municipalities and Municipal Corporations*, Government of Gujarat, Ahmedabad, 1972.

system of municipal grants-in-aid and suggest modifications therein for the efficient discharge of municipal functions, while keeping in view the financial situation of the State and the needs of the municipal authorities. The Maharashtra commission,³ on the other hand, was required to make an estimate of the financial adequacy to maintain the minimum levels of municipal services and to recommend measures to ensure it. The essential difference is the more comprehensive nature of the Maharashtra commission as to include an assessment of the viability of the existing municipal tax jurisdiction. To what extent the commission actually examined this aspect remains to be seen.

Estimation of Revenue Gap : Neither the Gujarat nor the Maharashtra reports made any attempt to estimate the desired level of municipal expenditure and undertake a forecast of municipal revenue to arrive at an objective assessment of the budgetary gap that needed State subvention. The Maharashtra report vaguely mentions the concept and recommends several measures to bridge the gap (Chapter V), but there is no evidence of any quantitative exercise in this direction. By

contrast, a recent report of the Andhra Pradesh Government⁴ made detailed estimates of the annual maintenance and development needs of the urban local authorities and also the estimates of additional municipal revenues through municipal and State efforts in order to quantify the estimated deficit that needed a well thought-out grants policy by the State Government. Such a detailed exercise not only commits the State Government to certain municipal development perspectives (as in Andhra Pradesh), but also binds the municipal authorities to exploit their existing sources of revenue. A more sophisticated exercise in this regard would involve detailed examination of the budgets and fixation of targets of achievement of the individual municipal authorities and project the trend over a period of five years to coincide the plan period.

Tax Effort : The Gujarat report takes the relative tax effort of various municipalities into account for an Incentive Grant calculated at 25 per cent of total grants paid in a preceding year. The eligibility is decided on the basis of awarding marks in terms of the following standards of performance :

	<i>Minimum per capita per year</i>	<i>Marks</i>
1. Income from taxation		25
A Class Municipality	Rs. 45	
B Class Municipality	Rs. 40	
C Class Municipality	Rs. 35	
2. Revenue Income		25
A Class Municipality	Rs. 60	
B Class Municipality	Rs. 55	
C Class Municipality	Rs. 50	

³*Report of the Municipal Finance Commission, Maharashtra State, Government of Maharashtra, Bombay, 1974 (Cyclostyled).*

⁴*Municipal Finances and Financial Administration: Report of the High Power Committee, Andhra Pradesh Government, Hyderabad, 1971.*

3. Expenditure on Establishments (not more than 25% of own income from non self-support- ing items)	25
4. Recovery of <i>Octroi</i> Dues (95% of total demand)	15
5. Expenditure on Medical and Public Health (minimum 10% of own income)	10
	<hr/>
	Total 100 <hr/>

To the extent the overall performance of a municipality falls short of the standards, the Incentive Grant is reduced proportionately. It is curious that even in an enlightened State like Gujarat, no special weightage is given to the recovery of property tax or its levy to a minimum level depending on the size of the municipalities. It may be that the present grants-in-aid code for the municipalities in Gujarat (which is sought to be replaced by a new code) provides for a minimum degree of tax effort (Rs. 18 *per capita* for Class A, Rs. 15 *per capita* for Class B and Rs. 12 *per capita* for Class C municipalities) during the first five years (1965-66 to 1969-70) of the operation of the code, but it also provides for grants towards dearness allowance of municipal employees on the basis of the percentage rate of property tax levied as under :

<i>Percentage of property tax</i>	<i>Percentage of D. A. Grant</i>
15 or more	100
10 — below 15	75
6 — below 10	50
Below 6	Nil

An independent ceiling of total grant admissible for dearness allowance operated at 33 per cent for Baroda and Surat and 50 per cent for other municipalities. The new committee has equalised the ceiling at 50 per cent (Baroda and Surat being converted into municipal corporations) and a minimum rate of property tax has been fixed at 8 per cent. But the grant is

now based on the percentage of expenditure on establishments out of municipal income on a graded basis.

Reservation of Tax Sources : The Gujarat report pleads for reservation of the tax on professions and the tax on advertisement (other than newspapers) for exclusive utilisation by the municipal bodies. In Maharashtra, this is already the case. In the sphere of new taxes, the Gujarat report mentions urban land tax and a building tax as recommended by the Committee of Ministers on Augmentation of Financial Resources for Urban Local Bodies (Zakaria Committee, 1963). There is no suggestion in either of these two States for a constitutional reservation of local tax through a separate local tax list.

Tax-Sharing : The Gujarat report recommended tax-sharing from the receipts of entertainment duty equivalent to the percentage of net receipts of duty realised from the areas of respective municipalities on the following basis :

<i>Municipalities</i>	<i>Percentage Share</i>
A Class	15
B Class	20
C Class	30

The Maharashtra report adopts a similar approach and recommends that the net proceeds of the entertainment

duty be redistributed on the collection basis as follows :

<i>Municipal Authorities</i>	<i>Percentage Share</i>
Municipal Corporations	10
A Class Municipalities	30
B Class Municipalities	35
C Class Municipalities	40

With regard to the Motor Vehicles Tax receipts, the Maharashtra report acknowledges the right of the Bombay and Poona corporations to levy a separate wheel tax. In respect of other corporations and municipalities, the report suggests that these should get road grant from a pool of the Road Fund as follows : 25 per cent of the net collections from the motor vehicle tax should be earmarked for distribution. Of this, 60 per cent should be distributed as "normal road grants" at a flat rate of Rs. 2.50 per person as per 1971 census. The remaining 40 per cent should be distributed normally as special road grant to the municipalities and corporations for meeting special needs such as construction of fly-over bridges, subways, bridges, etc.

General-Purpose Grant : On the question of a general purpose grant, the Gujarat and the Maharashtra reports are sharply divided. Maharashtra report rejects the idea of such a grant on grounds that "such a grant has in it hidden germs of eroding the self-reliance and independence of local bodies as self-governing institutions" (p. 173). The Gujarat report, on the other hand, accepts the legitimacy of such a grant as devised by an earlier committee (1964) and codified for five years, 1965-66 to 1969-70. The basic *per capita* grant, as it is called in Gujarat, is based on population (1971 census) and paid to the municipalities at the following rates :

<i>Municipalities</i>	<i>Annual Per Capita</i>
A Class	30 P.
B Class	45 P.
C Class	65 P.

Similar *per capita* grants are in vogue in Madhya Pradesh and Kerala. The Incentive Grant, as recommended by the Gujarat Committee, is also another variant of the general purpose grant and it is through this grant that certain degree of control is exercised to encourage better financial management among the municipalities.

Plan Assistance : With regard to development or plan assistance, the Gujarat report envisages two types of such schemes : (a) implementation of development plans, and (b) water supply and drainage schemes. The pattern of assistance recommended is as follows :

(a) *Development Plans*

- (i) Gross cost of works and/or land acquisition : 33 1/3 per cent of grant and 66 2/3 per cent loan to Class A municipalities; 50 per cent grant and 50 per cent loan to Classes B and C municipalities.
- (ii) Balance cost of development plans : financial assistance by way of loan to the municipalities.

(b) *Water Supply and Sewerage Schemes*

The quantum of grants for few water supply and sewerage schemes to be as follow :

<i>Municipalities</i>	<i>Percentage of Cost</i>	
	<i>Water supply</i>	<i>Drainage</i>
A Class	20	35
B Class	30	45
C Class	35	55

The report also suggests that the cent-age charges should be levied at 10 per cent of cost and the municipalities are to be required to deposit only their share of the cost.

The weakness of this type of open-ended formula without any concrete exercise regarding the total draft on the plan finances at the State-level for municipal development is obvious. Moreover, the revenue implications of any development project needs to be taken into account in quantifying assistance for gaps in both plan as well as non-plan budgets of the municipal authorities.

Some Broad Issues

Arising out of the foregoing analysis of two important reports on State-municipal finances, a few broad issues present themselves. These are :

1. Constitution of a broad-based State-municipal finance commission appears more useful than a traditional committee on purely municipal finances in identifying municipal needs and resources and the quantum of necessary State assistance.
2. The State-municipal finance commissions should go into the details of budgetary adjustments at both State and municipal levels for committed and plan purposes.
3. The results of State-municipal finance commissions should be related to the Federal-State financial relations.
4. Municipal authorities are to be integrated with the detailed planning process at the State level.
5. The requirements of inter-municipal equalisation through a system of general purpose grant to the municipal authorities are to be met.
6. Suitable criteria for measurement of tax efforts should be evolved for effective control of municipal finances.
7. The periodicity of State-municipal finance commissions should be ensured through legislative action.
8. Continuous efforts are needed to collect relevant data on municipal expenditure, taxation and service levels.
9. If necessary, constitutional reservation of local taxation may be made.
10. Central Government funds may be used for municipal purposes through revenue sharing and plan assistance, with necessary pass-through provisions to take care of the fiscal needs of the major urban areas.

Higher Government Support to Municipal Public Services

IT is well known that our major urban areas have been experiencing fairly rapid demographic growth. Distribution of urban population among different size-classes of cities and towns reveals that the class I cities numbering only 142 are containing more than half of the nation's total urban population. By now there are numerous studies and reports available that tell us about acute shortage of all kinds of urban public services such as water supply, schools, roads, public health facilities, housing, hospitals and medical facilities and so on. The cities invariably have a sizable portion of their population living in slums and on pavements. From all accounts, it appears that urban India has been experiencing a fast deteriorating living condition, and the aim of public policy, under the circumstances, would be to call a halt to this trend and try to improve urban living condition in a phased and systematic manner.

The perspective will lend a purpose to the discussion on State-municipal fiscal relations. Intergovernmental relationship can be meaningfully discussed in the context of the need for augmentation of urban public services. It should be pointed out, however, that municipalities are not the only authorities supplying urban public services. There are other organizations also such as special authorities, and State Government departments who are engaged in the supply of local public services in many urban areas. For instance, in Jaipur

water supply is with the State Department, in Madras major roads are in the charge of the State Public Works Department. The special authorities like water supply and sanitation boards and development authorities exist in some places such as Calcutta, Bangalore, and Delhi. The improvement trusts, again, have become ubiquitous agencies in our urban areas.

How best to ensure the supply of urban public services is thus not simply a fiscal question. It involves choice of organizations—which function should be left to be administered by what type of organization and at what level, local, regional or State. Efficient delivery of public services is, again, dependent on the structure of an organization and the quality of its managerial input.

State of Municipal Administration

With this background, let us now turn to the municipal institutions as suppliers of essential civic services in our urban areas. To increase the capacity of our municipal institutions to cope with the increasing demand for urban public services, many things need to be done. Among other things, what appear as important are the organizational 'structure' of municipalities and the calibre of their 'management'. By 'structure' we mean the formal machinery of government that facilitates making of decisions in the organization. In this respect, municipal deficiency is well-known. Municipal

government, especially in our major urban areas, has remained a battleground of two contending parties—the appointed municipal bureaucrat and the elected municipal councillor, each contesting other's claim to 'authority'. It is not impossible to define the location of authority in the municipal organization which might go a long way in restoring internal harmony.

By 'management' we mean both the councillors and the key appointed officials engaged in managing municipal affairs. Municipal administration demands constant attention, advice, guidance and intelligent intervention by the elected councillors. If our urban communities fail to select able councillors, efficiency of municipal administration will continue to suffer. And what an able and devoted councillor can do is beyond the jurisdiction and competence of appointed officials, however qualified and efficient they might be. The other element — appointed municipal official — has earlier been recruited, in many cases, not on merit but some other considerations. To plan and supply civic amenities to the citizens in larger urban areas — say cities with a lakh and above population — is not an amateurish job. It needs certain expertise and technical knowledge, ability to define objectives, plan resources and raise funds, to organise administration properly to suit the tasks and to achieve coordination among different activities, to motivate personnel and convince the public, and above all to feel the pulse of the elected city fathers and win them over through persuasion, bargaining, analysis and personal integrity. This is a job of a very tall order. The managerial input currently available in our major urban areas falls far short of expectation. Municipal efficiency will in future depend greatly on the quality of the 'urban managers' who will be called upon to run the administration of our major cities.

The discussion so far has been intended to highlight a few crucial aspects of municipal administration which have important bearing on the efficient supply of urban public services. Innovation in intergovernmental fiscal relations has to be looked at as one of several ways to improve the supply of these services.

Municipal Dependence on State Financial Assistance

If one looks at the ways the municipal authorities in this country finance their activities, one is apt to say that the municipalities are more sinned against than sinning. The studies undertaken by the Zakaria Committee revealed that during 1950-51 and 1960-61 the urban local bodies in India depended for State grants to the extent of only 12.10 per cent and 13.50 per cent respectively. It means that the municipal authorities have been relying mostly on their domestic resources, and the role of State assistance is marginal.

The Rural-Urban Relationship Committee (1966) examined municipal financial statistics for two years, viz., 1952-53 and 1962-63. According to the Committee:

"Tax revenue accounts for the larger part of municipal revenue in most of the towns and has gained in importance over the decade. Non-tax revenue, i.e., grants and other than grants are relatively of less importance. The income from grants is as low as 1.7 per cent in Allind Municipality (Mysore), 2.5 per cent in Mussoorie (U.P.), and 2.7 per cent in Batala Municipality (Punjab)".¹

The municipal corporations in major cities, where problems of urban development are much more accentuated, have also been depending mostly on their own resources. Table 1 shows the distribution of sources of ordinary income of eight city corporations in the country at

¹Report of the RURC, Vol. III, p. 80.

TABLE 1

Selected Municipal Corporations : Percentage Distribution of Sources of Ordinary Income, 1952-53, 1962-63 and 1970-71

Corporation	1952-53			Grants	1962-63			Grants	1970-71		
	Internal resources		Non-tax revenue		Internal resources		Non-tax revenue		Internal resources		Non-tax revenue
	Tax revenue				Tax revenue				Tax revenue		
1. Bombay	72.5	10.2		17.3	72.0	6.7		21.03	77.40	20.80	1.80
2. Madras	40.3	49.8		9.9	40.4	49.1		10.5	54.48	21.76	23.76
3. Ahmedabad	87.6	9.1		3.3	79.6	14.3		6.1	73.27	13.27	8.46
4. Kanpur	66.9	18.6		14.5	65.9	13.3		20.8	74.99	10.36	14.65
5. Poona	79.3	14.6		6.1	75.6	16.6		7.8	77.24	11.40	11.36
6. Varanasi	80.4	8.5		11.1	71.9	13.1		15.0	62.47	13.96	23.57
7. Agra	77.5	5.9		16.6	74.6	3.2		22.2	75.40	9.63	14.95
8. Hubli-Dharwar	—	—		—	72.5	11.9		15.6	70.63	16.65	12.72

Source : Report of the RURC, Vol. III, p. 81, and K.S.R.N. Sarma, 'Finances of the Municipal Corporations' (1970-71), IIPA, 1974 (cyclostyled).

three points of time: 1952-53, 1962-63 and 1970-71.

Justification for Higher Government Support

The picture that emerges from the data presented in Table 1 is that the municipal corporations are basically functioning with their own tax and non-tax resources. Grants-in-aid from higher level government have not been systematic; nor are these grants very substantial in volume. The pattern has not changed much over the years. This shows that the States are prone to thinking that the municipal authorities should fend for themselves. There does not seem to be any realization that regular financial support from the higher level government is necessary to enable municipal administration to ensure supply of urban public services up to certain desirable standards. It may be recalled that the Zakaria Committee had worked out gaps in municipal per capita expenditure for each size class of municipality on the basis of suggested minimum levels of services. The gaps were found to be highest in the case of larger cities which meant that considerable income supplementation would be necessary to satisfy the minimum service needs of the citizens of these cities.²

It may not be out of place here to refer to external (higher level government) financing of urban public services in the United States of America. According to one estimate, higher government funds account for more than 32 per cent of the total funds spent on public services in the metropolitan areas of the U.S.A.³ In England, about two-fifths of local authority current expenditure come from government grants⁴ and this share of the Central Government is constantly rising.

In the developed countries, the regular flow of income transfers from the higher level government to the lower level does not take place on *ad hoc* basis. There is strong theoretical justification for it. Following Musgrave's normative conception, it may be pointed out that the 'stabilization function' in the national economy and 'redistribution function' for welfare purposes fall almost wholly on the higher level governments, and it is the 'allocation function' for the support of goods and services whose provision in adequate quantity and quality depends on government action that devolves on the lower level governments.⁵ To the extent local government such as a municipality is engaged in operating welfare functions like free books to the poor, free water to the economically weaker classes, night-shelters, poor homes, etc., the funds for such activities should logically come from the higher levels of government.

Theoretical justification for higher government support has been clearly spelt out by Hirsch.⁶ Fiscal difficulties of local governments are attributable to two basic causes. Sometimes local bodies are unable to augment their resources by raising tax rates or user charges because of political considerations. Also, property tax which is the mainstay of local finance has a lower income elasticity that makes for difficulty in raising more funds through this tax only.

The second important cause which creates local fiscal difficulties is that there are certain factors affecting local finance

²Report on the Augmentation of Financial Resources of Urban Local Bodies, 1963, p. 151.

³See Dick Netzer, 'Federal, State and Local Finance in Metropolitan Context', in Harvey S. Perloff and Lowdon Wingo (ed.) *Issues in Urban Economics*, Resources for the Future, INC., 1968.

⁴J.A.G. Griffith, *Central Departments and Local Authorities*, George Allen & Unwin Ltd., 1966.

⁵Richard A. Musgrave, *The Theory of Public Finance*, McGraw Hill 1959, Ch. I.

⁶Werner Z. Hirsch, *The Economics of State and Local Government*, McGraw Hill, 1976, pp. 114-119.

that are beyond the control of the local bodies. These are, to quote Hirsch, regional income differences and inter-jurisdictional spillover of costs and benefits. As explained by Hirsch, "..... transfer of funds to lower levels of government can be justified on the basis that such transfers can help equalize income distribution throughout the country by reducing interregional service and income differences.... Furthermore, such transfers can be justified on the basis that the nation as a whole can suffer some of the effects of uncontrollable interjurisdictional spillover of costs and benefits that result in major fiscal difficulties and therefore in under-investment by...local governments."⁷

In our major urban areas, benefit and costs spillover is exemplified by the mobility of persons receiving education at one place and residing in another. The floating population that enjoys civic services in the metropolitan cities and the slums population that come as immigrants to the cities provide examples of benefit spillover and costs-spill-in situation. External financing of the services meant for these groups is imperative to guard against non-optimal spending by the municipal authorities concerned.

Three well-known techniques of intervention by higher level governments to provide greater revenue to lower level governments are: direct transfer of funds, tax sharing, and tax-coordination. *Grants-in-aid* fall in the first category. Grants can of course take many forms from unconditional to conditional and matching types. *Tax-sharing* can take place through the higher government vacating a tax field or by distribution of higher government tax-revenue between two levels of government. It may be recalled that the Zakaria Committee recommended that yields from specific State taxes with predominant local bases such as electricity duty, entertainment tax, etc., should be shared by the State Government and the muni-

pal bodies. Tax-coordination is especially useful when there is vertical tax overlapping. For instance, tax on urban property by State and municipal governments, where such situation exists, can be coordinated to the benefit of both. Tax coordination can extend even to the co-ordination of tax administration. Where, for instance, the State Government already has an administrative machinery to collect a particular tax, Municipal government can make use of that machinery to collect their tax also, depending, of course, on the nature of the municipal tax. Such centralized tax administration, if feasible, may help minimise municipal administrative expenses and augment revenue.

Summing Up

We have discussed the justification for higher government financial support to municipal funds to enable the municipal authorities to keep up steady supply of essential urban public services. Theoretical justifications have been advanced from fiscal science. The modalities of fiscal transfers have been discussed in various reports and papers. How the grants should be made, what State taxes should be shared in common with the municipal authorities—these problems are amenable to easy practical solutions. What is presently lacking is a fullthroated political acceptance of municipal government as a fullfledged member in the family of governments in India. Thanks to the provisions of the Indian Constitution, Union Government and State Government are constitutionally recognised levels of 'governments.' But, when it comes to 'local government'—be it urban or rural—there is still reluctance to accept the grassroots institutions as 'government'. The actual shape of inter-governmental fiscal relations will ultimately depend on the extent of real acceptance of municipal institutions as 'government' in its own right. Municipal government, at the same time, has yet to

⁷Hirsch, *op. cit.*

establish its credibility by demonstrating a modicum of efficiency. The record of performance of municipal bodies has been far from encouraging. This has led to their undervaluation in political and administrative scale. Yet, one has to admit that the problems of urban development and the need to ensure more

adequate and efficient supply of civic services can no longer be thought of as purely municipal responsibility. What is necessary today is to combine the efforts of government at different levels in a common endeavour to improve the quality of urban life.



A Case for Political Executive in Municipal Government in India

THE municipal corporation is the traditional governmental organisation for the city. But there are various forms of municipal corporation existing all over the world. What is common in all forms is the existence of an elected council which exercises deliberative jurisdiction. They differ a great deal in regard to nature and function of the executive which plays a vital role in the day-to-day municipal management. As such, for an average man the municipal executive is the real city government and all eyes remain focused on him. In fact the nature of the municipal executive has become a test for the representative character of the municipal institution.¹

II

In India the form of municipal management prevalent in small towns, where municipalities are at work, resembles, with slight variations, the English pattern under which no separation between the deliberative and executive functions has

been effected.² But in the big and capital cities the model in vogue is different. In such cities there are municipal corporations wherein the deliberative and executive functions have been statutorily separated and the municipal executive commonly known as Commissioner, has been made responsible, subject to prescribed checks for carrying out the day-to-day municipal administration.³ In such a model the executive is an appointee of the government and a salaried official. Three coordinate authorities—the corporation, the standing committee and commissioner who is the chief executive—are the main organs of the municipal structure.

But such a model of municipal management, which is basic to all municipal corporations in India, and which was for the first time created in Bombay in 1888, lacks political executive. There has been no basic or significant change in this model since then.⁴ The corporation being the deliberative council, is collectively responsible for the exercise of legislative

¹See W. A. Robson, *Great Cities of the World*, 2nd ed., London: George Allen & Unwin, 1957, pp. 34-39.

²Recently, however, in some of the municipalities there has been made provision for the post of an executive officer who belongs to the government cadre. But this is not based on the bifurcation of the deliberative and executive functions.

³See Mohit Bhattacharya, "Structure of Urban Local Government in India," *Journal of Administration Overseas*, Vol. 7, No. 2, London, April 1968, pp. 351-357. See also Harold F. Alderfer, *Local Government in Developing Countries*, New York, McGraw-Hill Book Company, 1964, p. 263.

⁴The tradition of appointment of the chief executive by the government was once broken in the Calcutta Municipal Corporation in 1923 when the chief executive officer was made an appointee of the corporation. But again under the Act of 1951 the old tradition was restored. For details see Ali Ashraf, *The City Government of Calcutta, A Study of Inertia*, Bombay, Asia Publishing House, 1966, p. 37.

powers and consists of the elected representatives and a few *ex-officio* and nominated members and its number varies according to the population of a corporation. Though there is a mayor, elected annually, he is simply a ceremonial head and his main job is to preside over the meetings of the corporation. He does not possess any executive or administrative authority. The standing committee functions as an auxiliary to the corporation and all matters to be decided by the corporation passes through it and it makes recommendations to the corporation chiefly on the basis of the proposals and recommendations of the Commissioner. The Commissioner who is more or less independent of the representative body, is the principal executive and has been entrusted with the task of the execution of policies and is also close to the point of policy-decision.

III

This model of municipal management has been viewed advantageous by some, for according to them, in this administration is relatively freed from the political interference and objectivity is maintained in the implementation of policies and actions are also taken with greater speed. This model was also advocated by the L.S.G. Ministers' Conference of 1954 for the structures of local bodies in general on the ground of its being based on the principle of the separation between the deliberative and the executive functions. Recently this model has also been advocated by the Rural-Urban Relationship Committee for big cities with a population of two lakhs or more.⁵

IV

But the advocates of this model overlook the three basic facts, *viz*, (i) that the present model lacks a political executive, (ii) that its present chief executive who is a salaried official is an encroach-

ment upon democratic principles and, (iii) that it is a source of conflict between the deliberative and the executive wings. This is so because the formal as well as actual power of appointment and removal of the chief executive is vested in the government. Though the Commissioner is an important limb of the municipal corporation, he, instead of functioning under the control of the representative organs of the municipal corporation, functions under the control of the government. None of the representative bodies possesses any substantial authority over him and as such he is not under its effective control. Though the mayor is formally consulted by the government while appointing the Commissioner, the advice of the mayor is not mandatory. When two different political parties or groups govern at the two levels, *i.e.*, the State and corporation, the value and weight of the mayor's opinion in the Commissioner's appointment is reduced still further, and under such a situation a conflict between the Commissioner and the deliberative organ usually occurs as it happened in Patna in 1967 leading to the supersession of the Corporation and as it is happening in Delhi Municipal Corporation at present where the Jan Sangh is the majority party and the Commissioner is an appointee of the Central Government of the Congress Party.

In respect of the removal of the Commissioner the same position exists as none of the representative bodies of the municipal corporation is at all effective. The Commissioner, under the existing provision of the Act, is to be removed by the government if the government is so satisfied on a resolution of the corporation or otherwise, that he is incapable of performing the duties of the office or that he has been guilty of any misconduct or neglect of duty. Though the representative body is formally empowered to pass a resolution for his

⁵The Government of India, *Report of the Rural-Urban Relationship Committee*, Vol. I, New Delhi, Ministry of Health and Family Planning, 1966, p. 68.

removal in case it wants to do so, such a resolution is not mandatory at all in the majority of the municipal corporations. It all depends upon the discretion of the government to give effect to such a resolution. In the Patna Municipal Corporation, in July 1967, the Chief Executive Officer was appointed by the State Government ignoring the opinion and advice of the then Mayor and none of the representative organs could forbid him from joining the post in spite of its will to do so. The non-mandatory nature of the resolution for his removal also became obvious in Patna when such a resolution, passed by the prescribed majority of the corporation, was not given effect to by the government and instead of removing him the government superseded the corporation itself. Then, while the Congress Party was in a dominant position in the municipal corporation, the United Front Government of the Bhartiya Kranti Dal, the Sanyukta Socialist Party, the Praja Socialist Party, the Communist Party of India and the Jan Sangh was in power at the State level and while the Mayor was of the Congress Party and a Member of the Legislative Council, the Minister for Local Self-Government was of the Sanyukta Socialist Party.

In a few of the municipal corporations such as those of Bombay and Calcutta, however, where the removal clause under the Acts uses the word "shall" instead of "may", it is construed that the resolution for the removal of the Commissioner by the corporation shall be binding on the government. But such has not been the normal practice. In fact it seems that the significance of the removal clause empowering the corporation to pass a resolution for the removal of the Commissioner lies only in ventilation of

its grievances against him and its unwillingness to cooperate with him. The view that "the corporation has a vital say in cutting short his tenure at any time if he shows a tendency to go off the rails",⁶ does not hold good in the majority of the corporations. The view of the Rural-Urban Relationship Committee that in case the corporation passes a resolution by a prescribed majority of the councillors asking the government to withdraw the Commissioner, "the government must withdraw"⁷ seems to be only a pious wish. In fact it is the political pattern or the Local Self-Government Minister—Mayor or Corporation relationship in the State which finally decides the attitude and action of government in this regard.

V

Under such a municipal structure, therefore, the quantum of control exercised by the representative body is naturally meagre. The existence of an irresponsible chief executive naturally affects profoundly the democratic principles like responsiveness and accountability in the municipal management in India. It does not seem unfounded to say that the present structure of municipal corporation does not confirm to the self-governing principles and that is why the Indian cities under the present municipal structure cannot be considered as fully self-governed cities.⁸ The essential conditions to qualify as a self-governing city, in the words of W.A. Robson, are "that not only the deliberation of policy, the passing of Ordinances, and the control of finance shall be within the ambit of an elected council but also that the executive power shall belong either to the council, or to an organ appointed by the council, or the officers directly elected by the citizens".⁹

⁶M.A. Muttalib, "The Municipal Commissioner", *Public Administration*, Vol. 45, London, Autumn, 1967, p. 252.

⁷*Report of the Rural-Urban Relationship Committee, op. cit.*, p. 68.

⁸W.A. Robson, due to these reasons has not kept Bombay and Calcutta under the category of fully self-governed cities vide W.A. Robson, ed., *Great Cities of the world, op. cit.*, p. 52.

⁹*Ibid.*, p. 52.

A scrutiny of the functional role of the Chief Executive also reveals that his presence in the municipal management violates the democratic principles. He actively participates in the initiation of municipal policies as he submits policy proposals, prepares the budget and participates in the meetings of the corporation and its committees, of course, without the right to vote. Though the practice of such a participation of the civil service in policy initiation is not against democratic tradition for such an involvement on its parts has become an inherent characteristic of democracy, the municipal commissioner's involvement in such a task seems to be undemocratic because he is accountable to neither of the constituents of the municipal corporation and none of them is responsible for his actions.

VI

In some quarters, however, the present model is advocated on the ground of efficiency. As a popular body is considered neither suitable nor capable for management functions, the induction of a civil servant as the chief executive has been, according to them, deemed essential. It is said to be more essential in a municipal government as in such a government matters of management are more involved than the matters of policies. For a good government, the protagonists of this model maintain, such an arrangement is necessary. It seems, thus, that in such an advocacy, the ideal of efficiency has become a "cardinal consideration". But the antithesis drawn between self-government and efficient government seems erroneous. Efficient government never means irresponsible government. In fact good management requires that authority and responsibility should go together. Distrust in the capacity of popular bodies and withholding responsibility from them will amount to abandoning of democratic ideals. To choose ideal of efficiency at the expense

of democracy strikes at the very root of local self-government. Moreover, the existence of a civil servant with the coordinate authority as the chief executive in municipal corporations never guarantees efficiency. Had it been so the most of the superseded municipal corporations would have been efficiently managed concerns. In Patna the civic condition has gone from bad to worse after the supersession.

As the present municipal executive is a salaried official he naturally lacks initiative and leadership. He cannot move on behalf of the citizens and as such cannot be expected to provide political leadership. The mayor, for want of executive responsibility—formal or real—has not acquired the capacity for such a leadership. The corporation and the standing committee, being basically the deliberative bodies, are not suitable for such a task. Thus, there is a political vacuum under the present structure and there is no one to fill up this vacuum nor even a citizen machinery. Further, as the chief executive is not a permanent and professional official of the municipal corporation he is also not in a position to provide, even administrative leadership. His unresponsive character, transitory stay and the lack of commitment to the municipal corporation on the one hand and the heterogeneous character of the municipal employees¹⁰ on the other, incapacitate him to develop such a quality. Under such a situation efficiency naturally is the casualty.

VII

The present structure, therefore, calls for a rethinking for its modernisation. It needs to be revised so that it may square with the sound theory and practice of democratic management. In fact for a better city administration political and management principles need to be combined. In the USA the induction

¹⁰The reason for such heterogeneity is the lack of a separate municipal cadre of municipal employees. Most of the municipal officials at the higher and middle levels of management are government officials on lien.

of a Chief Administrative Officer (CAO) under the supervision and control of the elected mayor in some of the cities under the Mayor-Council plan seems to be an attempt towards this combination. Under the new device the executive power is being shared between the mayor and a new functionary called the chief administrative officer or general manager. This official is appointed by the mayor and he acts as his assistant. The invention of this device is in response to a call for managerial leadership in the management of large cities.¹¹ In view of the growing complexity in the municipal administration the elected representative needs the managerial help and the new office is in response to this need. According to Sayre this office strengthens the position of the elected Chief Executive (Mayor) in the field of political and administrative leadership.¹² Large number of American cities over 5,00,000 population has adopted this system.¹³

But in India, though there have been great deal of discussions as to the form of and need for a political executive,¹⁴ no national pattern has yet emerged and no reform in the old model of municipal structure has been introduced. Here the slogan of administrative efficiency, which was ignored to some extent even by Lord Ripon a century ago, seems to be still hovering in many minds. But the apprehension in granting real power to local representatives that they might abuse their power seems to be without

foundation. When the responsibility for the governance of the nation has been entrusted to the peoples' representatives there should not be any fear or hesitation in bestowing full power of governance upon the civic representatives. Unless municipal institutions, and for that matter local bodies in general, are not given liberty of actions, they will fail to develop a sense of responsibility and commitment in civic affairs. For this the creation of political executive seems to be imperative.

VIII

As regards the form of political executive in municipal management it may be vested either in a single individual as it is in a great number of large cities in the United States, or in a group of equals as it is in Switzerland, or in a group of persons patterned on the English Cabinet System. In India opinion on this issue seems to be still divided. One school of experts favour the cabinet system while the other mayor form.¹⁵ There is a third group also which favours the council-committee plan.

Which form will suit the Indian conditions is of paramount importance as no system can be simply an intellectual construct. As any system is to be worked out by a human agency the socio-political situation of the country will have to be taken into consideration. But there is no denying the fact that India needs a

¹¹See Wallace S. Sayre, "The General Manager Idea for Large Cities", *Public Administration Review*, Vol. XIV, autumn 1954, pp. 253-258.

¹²Wallace S. Sayre has called this innovation in tune with the recommendations of the President's Committee on Administrative Management, 1937, and Hoover Commission's later studies on the national government. vide *Ibid*.

¹³H.M. Olmsted, ed., "News in Review", *National Municipal Review*, Vol. XLII No. 4, April 1955, p. 199. However, this new device is not free from criticism. For this see John E. Bebout, Management for Large Cities", *Public Administration Review*, Summer 1955, pp. 188-195.

¹⁴See *Cabinet System in Municipal Government, Proceedings of a Seminar*, Sept. 15-16, 1969, New Delhi, The Indian Institute of Public Administration, pp. 1-84, and also Mohit Bhattacharya, *Essays in Urban Government*, Calcutta, The World Press Ltd., 1970.

¹⁵For details see papers read by Mohit Bhattacharya and M.A. Muttalib in favour of the cabinet system of municipal executive and by Ali Asharaf in favour of Strong Mayor form, *Cabinet System in Municipal Government*, op. cit.

municipal structure which can ensure democratic functioning as well as efficient management.

A Special Committee of the All India Council of Mayors favoured the system of mayor-in-council "which would give a mayor executive powers". Under this the mayor with his council is to be responsible to the deliberative body.¹⁶ This is more or less on the line of the cabinet pattern. Though the national pattern favours the cabinet type of municipal executive which may be more compatible with the deliberative control, such an executive will fail to provide integration and stability in administration. Owing to the growth of multiplicity of political parties and a strong tendency towards defection in Indian politics, cabinet system in municipal management may not be preferred. Hence a single man political executive may be tried. The executive leadership may be vested in a single

individual with an administrative officer like the American CAO to assist him, and he should be elected either popularly or from amongst the members of the council with a fixed tenure. Such a system will provide stability in administration with the advantage of expertise of the administrative officer and such an executive may also be able to develop leadership quality for shouldering responsibilities at the higher levels of administration. But in constructing such a system care must be taken to endow the executive with executive powers and the administrative officer, who necessarily be a professional, must be made subordinate to the political executive. The creation of a separate cadre for municipal service will be helpful in providing such an administrative officer. Further, the world tendency today also favours a "monocratic" executive at least at national level¹⁷ and this can be tried at local level also.

¹⁶*Hindustan Times*, Sept. 15, 1973, New Delhi, p. 3.

¹⁷C.J. Friedrich in "Chief Executive and Cabinet Systems" writes that "National patterns have been changing gradually from the college at toward monocratic control" and "The tendency toward the monocratic (presidential) pattern seems almost universal" vide. Jean Blondel, ed., *Comparative Government*, London, Macmillan and Co., Ltd. 1970, p. 182.

Judicial Decisions*

MUNICIPAL BOARD, HATHRAS V. UNION OF INDIA AND OTHERS¹

Water Works of the Municipal Board is a "factory" as defined under the Factories Act.

In this case, the petitioner Board which was running a water works for the supply of water to the inhabitants of the area was served a notice by the Enforcement Officer appointed under the Emergency Risks (factories) Insurance Act, 1962 requiring it to pay a total sum of Rs. 10,711 as arrears of premia as the Board had failed to take out insurance in respect of the water works. The Board was also required to pay a sum of Rs. 5,360 as compounding fee. As the premia and compounding fee were not paid, proceedings were initiated under section 35 of the U.P. Municipalities Act for its recovery. The petitioner has challenged the demand as also the recovery proceedings.

The Board contended that the Act was not applicable as it required compulsory insurance of factories and the water works department of the petitioner could not be said to be a "factory". This contention was rejected by the court after examining the definition of 'factory' under the Factories Act. The court held: "Thus pumping of water is a manufacturing process according to the definition given in the Factories Act, even though pumping of water may not be manufacturing process in the ordinary common parlance. Water works is clearly covered by the definition of "factory" and the Act is applicable to it".

The next contention of the petitioner that the above Act was a temporary measure lasting during the emergency and it came to an end when the emergency was withdrawn and as such no action could be taken under the Act after its expiry, was also rejected by the court in view of the specific provision in the Act that even after the lapse of the Act, action could be taken to levy and recover insurance premia if it had not been done during the operation of the Act. The court held: "The Act casts an absolute liability upon every person to take an insurance policy and to pay premium due thereon and on his failure to do so a provision has been made to recover from him the arrears of premia."

The last contention of the petitioner was that since the Act provided that the arrears of premia could be recovered as an arrear of land revenue, the demand on account of arrears of premium and compounding fee could be recovered under the Act only as arrears of land revenue and as such the proposed Action under section 35 of the U.P. Municipalities Act was wholly unauthorised. This contention was also rejected by the court on the ground that the mode of recovery provided under the Act was not exhaustive in the sense that it barred the other modes of recovery available under the law. The court held: "Section 35 of the U.P. Municipalities Act contains a special provision for enforcing any obligation against a municipality cast by the Municipalities Act or by any other enactment. If such a duty is not performed within the specified time, sub-section (2) of section 35 provides that the District

*Compiled by Shri M.K. Balachandran, IIPA, New Delhi.

¹AIR 1975 All. 364. Decided on February 13, 1975.

Magistrate or any other officer not below the rank of the Deputy Collector may be required to secure compliance and expenses incurred in that connection shall be borne by the Municipal Board concerned. This, in my opinion, is another mode of recovery of dues against a municipality and it is open to the Government to press into aid this mode of recovery. Section 11(2) of the Act does not bar such a remedy".

The court dismissed the petition of the Board with costs.

CHAKRADHARPUR MUNICIPALITY V. BISWANATH JAGATRAMKA²

Liability to Pay Holding Tax ts that of the Owner.

The Chakradhar Municipality had brought a suit in the Small Causes Court for the recovery of Rs. 285.80 on account of holding tax from the defendant. The defendant denied his liability on the sole ground that he was not the owner of the holding in question in as much as that the holding has been transferred to his wife by a registered deed of gift by his father. It was alleged by the defendant that after the execution of the deed of gift an application for mutation was duly made but the same was not acted upon. Further the transferee had served a notice on the plaintiff Municipality for mutation of her name but the same was also not acted upon. According to the defendant he and his wife had both filed applications against the assessment, but they were neither heard nor were the applications disposed of and so the entire assessment proceeding was void *ab initio* and therefore, the defendant was not liable to pay the tax claimed against him. The Small Causes Court held that the holding tax was payable by the owner of the holding and since the defendant had proved that his wife was the owner of the holding and not himself, the defendant was not liable to pay the taxes claimed by the plaintiff. The plaintiff brought the matter before the High Court.

The Municipality contended that the application filed by the defendant's wife for mutation of her name was not in accordance with the provision of Section 108 of the Bihar and Orissa Municipal Act, 1922, because it was not filed both by the transferor and the transferee, and that the requisite fee was not deposited along with the application. Rejecting this contention the High Court held that even if the application was not strictly in accordance with the provision of Section 108 of the Act, "it was the duty of the municipality to mutate the name of the real owner of the holding when the matter was brought to their notice. I am fortified in the above view by the Bench decision of this court in the case of *Abrar Ali Khan* (1962) ILR 4 Pat 338". It was held in that case: "The liability of the defendants to pay the tax is determined not by the entry of their names in the assessment list but by virtue of Section 101(1) read with Section 82 of the Bihar and Orissa Municipal Act. The liability of the defendants to pay the taxes is dependent upon the provisions of these taxing sections and not upon the provisions of Sections 105, 106 and 107 which deal with the preparation of assessment list and the quantification of the tax liability". It was further held in that case as follows:

"Even in the absence of an application for mutation under Section 108 of the Bihar and Orissa Municipal Act, it was a duty imposed upon the plaintiff-respondent to alter or amend the assessment list under Section 107(1)(b) of the Act after following the

²AIR 1975 Pat. 158 Decided on November 7, 1974.

procedure mentioned in Sub-section (2)(3) and (4) of Section 107. It is, therefore, not open to the plaintiff-respondent in the present case to take advantage of its own laches or negligence in not entering the mutation of title in its assessment list. As we have already pointed out, the defendants are not liable to pay Municipal Taxes for the period in question because they are not 'owners' within the meaning of Section 3(18) of the Act, read with Section 100(1) of the Act."

Relying on this judgment, the court held that it was the duty of the municipality to mutate the name of the defendant's wife in place of the defendant and to alter or amend the assessment list under Section 107(1)(b) of the Act after following the prescribed procedure when it was brought to their notice that she was the real owner.

The court dismissed the application of the Municipality with costs.



Urban News

Meeting of the Central Council of LSG

While opening the Sixteenth Meeting of the Central Council of Local Self-Government on October 24, 1975, the Prime Minister, Mrs. Indira Gandhi, observed that the post-Independence image of urban Local Self-Government was 'dismal'. A large number of local bodies have been suspended for one reason or the other. She felt that the time has come when it should be considered 'how to rejuvenate, to energize and if necessary to reform or even change the pattern of our Local Government'. Speaking on State control, she said that a balance should be struck between the control a State exercises over the activities of local bodies because it provided the money for them and the freedom for local initiative. The local bodies should concentrate on all the problems of the cities and take initiative to solve them rather than confining themselves only to just two or three subjects. Regarding peoples' involvement in affairs of urban local bodies, she pleaded for formation of Mohalla Committees and Citizens Committees on specific problems such as keeping the city clean. In this way, much work may be done cheaply and effectively without much expenditure. The Prime Minister laid emphasis on careful urban planning. Housing development, she said, must not segregate people of different status. Quoting the instance of cities like Singapore, she urged for housing planning as a method of blending of communities and income groups.

Shri K. Raghuramaiah, Union Minister of Works, Housing and Urban Development disclosed that a bill to 'socialize' all urbanizable land was being drafted by the Ministry. He admitted that the urban local bodies were 'overburdened'. They do not have adequate financial resources and trained staff. He drew attention to the manifold problems of cities and towns and underlined the need for efficient performance. Metropolitan development authorities on the lines of Calcutta and Delhi have been set up in Kanpur, Hyderabad, and a few other major cities. These, he felt, would facilitate speedier and planned development of the major urban areas.

Some of the important issues taken up for discussion in the 16th Meeting of the Central Council of LSG are as follows :

1. State-wide cadre for municipal engineers,
2. Setting up of Municipal Finance Corporation,
3. Setting of Local Authorities Finance Commission and Data Bank,
4. Problem of Beggars and their Rehabilitation,
5. Delinking of Rent control legislation from property tax provisions,
6. Efficiency in local bodies, and
7. Supersession of local bodies.

Under the able Chairmanship of the Minister for Works, Housing and Urban Development, the proceedings were very lively and informative. The Ministers in-charge from different States participated in the deliberations. A few Mayors were

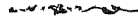
also present. All in all, the Council meeting handled the various problems relating to urban local bodies methodically and successfully.

The Conference of the State Ministers of Housing and Urban Development

The Conference of the State Ministers of Housing and Urban Development which has held in Bhopal from October 4 has adopted the National Urbanization Policy Resolution and urged the Centre to take it up through an official resolution and implement it. This is the first time that a clear-cut guidance has been given to the future urban growth pattern in the country. The conference showed concern about the lack of attention given to the urban sector and the worsening social and economic conditions in the urban areas which have assumed serious, political, social and economic dimensions. It recognised that the problem of urban growth is integral to the development of the rural sectors and stressed the need for a rational and equitable approach in guiding future urbanisation trends.

To make a coordinated attack on various urban problems, the resolution emphasised the centralisation of economic activities towards medium and small towns in order to stem the rural migrants from overcrowding the metropolitan areas. It also recommended that all departments dealing with urban development including local self-governments, housing, town and country planning, municipal committees, improvement trusts and environmental planning should be brought under a single administrative department. It will ensure better coordination and integration of all urban development programmes. The creation of an urban development fund for financing urban development programmes was also suggested. The funds realised from land development, house construction, etc., should form a revolving fund for financing a programme and should not be allowed to go into general revenue of the States.

The Conference strongly urged that urban development should not be placed under social services, but should form a separate major head for 'urban development' and all programmes relating to this should also be brought under this head. These measures are likely to have a great policy impact on the administration and financing of urban development programmes.



News from Training and Research Centres

NATIONAL CENTRE

The Centre organised the 6th Course on Budgeting and Finance during September 15 to October 4, 1975. The Course dealt with entire gamut of municipal budgeting, financial administration and financial policies. There were eight participants in the course from a number of major local bodies. A senior level workshop on 'Implementation of Integrated Urban Development' was organised in collaboration with the Town and Country Planning Organisation of the Government of India during August 5-14, 1975. The objective of the workshop was to provide full information and frame methodologies for the preparation of integrated development projects about major cities. The Workshop consisted of three parts: The first part was devoted to some lectures and presentation of state-wise data on cities. During the second stage the participants were involved in drawing up actual projective scheme for the cities. In the third stage the participants were asked to discuss the project reports and evaluate them. The Workshop was attended by 42 senior officers from different State Governments and other urban development authorities.

The Centre will soon be taking up two interesting research projects—one relating to the distribution of civic services among the localities and different consumer groups in the urban areas, This will involve an exhaustive enquiry into sociological, political, economic, demographic and geographic aspect of an urban area. The second project will be concerned with a comparative study of existing Town Planning and Development Authority Legislations in the country. The idea is to examine the town planning legislations with a view to evaluate their effectiveness in promoting the planned urban growth.

On September 23, 1975 the Centre organised a Colloquium to discuss areas of research having practical bearing on the management of urban development and the study of urban problems. Shri R.N. Haldipur, Director, of the Institute, referred to the growing concern about the deterioration in urban environment and he felt that it is necessary to identify the various areas of research and their priorities in the field of urban management and development. The workshop was attended by experts in urban affairs from the academic institutions and government.

HYDERABAD

The Regional Centre has recently conducted a short term course of two-weeks duration for senior personnel working in municipalities on Management Problems in Municipal Administration.

An advance post-graduate diploma entitled "Urban Management and Administration" has been instituted in Osmania University in the Department of Public Administration. The Course is meant for senior municipal personnel and a quota of freshers. The duration of the course is one academic year. The Centre, in

collaboration with the State Directorate of Municipal Administration, is working on "The Reorganisation of the Directorate of Municipal Administration, and the Personnel Pattern for Municipal Administration in the State of Andhra Pradesh". A seminar, to identify the issues relating to the reorganisation of the Directorate of Municipal Administration, was held in which academicians and administrators of the state participated. Recently, the Vijayawada Municipality and the Government of Andhra Pradesh have appointed the Regional Centre as Research Consultants for studying the problems of staffing in the Vijayawada Municipality. The Regional Centre has also selected Warangal City Municipality for a comprehensive survey and action-oriented research.

Book Notes

URBANISATION AND THE DEVELOPING COUNTRIES : REPORT ON THE SIXTH REHOVOT CONFERENCE, by RAANAN WEITZ (ed.) New York, Praeger Publishers, 1973, pp. 208, Sh. 140.

The present volume is an outcome of the Sixth Rehovot Conference. The Conference discussed and exchanged views on the whole gamut of urbanization and development in the developing countries. The participants took into account the topics having slightest link with the subject matter such as people, population, cities and villages, economic organisations, family, policies and government, policy makers and planners, and other allied problems faced in the society. The editor has grouped the contents of the deliberations into three parts, *i.e.*, reality, challenge and methods and means and arranged them into twelve chapters according to their suitability. It is a masterly presentation of the ideas put forward by the professionals and policy makers at the Conference, making it a valuable work for the readers.

—M. K. NARAIN

MUNICIPAL GOVERNMENT IN VISHAKHAPATNAM, by RAO, T. APPA, Visakhapatnam, Arsha Printing Industrial School & Press, 1974, pp. 150, Rs. 15.

The present work has been devoted to the origin and historical evolution of Municipality of Visakhapatnam. It focuses on the direction in which the fast developing industrial complex should move keeping in view the changing nature of the town. The study has been done adopting some of the survey techniques to assess the image of the municipality in the eyes of the public about the management of the prevalent municipal affairs. The work can be viewed as a case study in municipal government of medium sized town in the process of emerging as an industrial centre.

—M. K. NARAIN

MUNICIPAL CORPORATIONS IN SOUTH INDIA, by ROA, T. APPA, Visakhapatnam, Saraswathi Power Press, 1974 pp. 234, Rs. 20.

The author, in the present book, has made a comparative study of the three major Municipal Corporations of Southern India, *i.e.*, Madras, Hyderabad and Bangalore. The work deals with the genesis and growth of these urban local bodies covering all the aspects of their growth and development. These include origin and constitution, finance and taxation, rights and responsibilities and their existing administrative system. The volume throws light on the several problems that engage the Indian civic bodies, *i.e.*, population explosion, migration etc., as a result of rapid industrialization. The work is useful for the scholars and student interested in the urban Local Self-Government in India.

—M. K. NARAIN

MUNICIPAL ADMINISTRATION IN INDIA : SOME REFLECTIONS
by SHARMA, S. K. and CHAWLA V.N., Jullundur International Book
Co., 1975, pp. 429, Rs. 60.

The volume contains research finding and reflections of distinguished scholars and administrators in the field of urban local government. The Foreword to the volume has been written very lucidly by Prof. B. S. Khanna, Head of the Department of Public Administration and Dean of University Instruction, Punjab University, Chandigarh. Shri T.N. Chaturvedi, Editor of the Indian Journal of Public Administration and Executive Director of Indian Investment Centre, New Delhi has written a longish Introduction covering the basic features and major problems of municipal administration. The volume contains 39 papers under 9 sections such as Aims and Methods, Executive and Deliberative wings, Functions and Powers, Municipal Services, Financial Administration, State Control and Supervision, Working of the System, Management Reforms and Recent Trends, and Concluding Observations. Another important feature of the volume is a fairly comprehensive bibliography on Municipal Government in India.

—M. BHATTACHARYA



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R. N. Haldipur

Director, Indian Institute of Public Administration,
New Delhi.

Dr. Mohit Bhattacharya, *Assistant Editor*

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SPECIAL ISSUE

ON

URBANIZATION AND URBAN POLICY

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OUR CONTRIBUTORS

Shri K.V. SUNDARAM is Joint Director, Planning Commission, New Delhi. Shri C.S. CHANDRASEKHARA is Chief Planner, Town and Country Planning Organization, Ministry of Works and Housing, New Delhi. Shri J.B. D'SOUZA is Managing Director, HUDCO, New Delhi. Shri B.G. FERNANDES is Adviser, Ministry of Works & Housing, New Delhi. Dr. MOHIT BHATTACHARYA and Shri M.K. BALACHANDRAN and Shri M.K. NARAIN are on the faculty of the IIPA (Centre for Urban Studies). Dr. KAMAL NAYAN KABRA is Reader, IIPA. Prof. DEVA RAJ is ex-director of the Centre for Urban Studies of the IIPA. Shri P. N. SHARMA is Senior Residence Officer, Area Planning Division, State Planning Institute (U.P.), Lucknow.

EDITORIAL

Urbanization has been just 'happening' in this country, as perhaps elsewhere in the world, without check and without direction. The consequences have been painful.

We may be unable to stop this drift altogether. If so, can we at least bring it under control and direct this movement?

Even before any such policy is actually put into operation, we should be aware of the problems of urbanization, uncontrolled as it is today, and also about what can be achieved under proper direction and control.

This, in short, is the central theme of this Special Number.

Prof. Bhattacharya takes us through the process of urbanization in the country over the years, particularly the growth of the metropolitan towns. He touches upon the resultant urban poverty which, indeed, is a cruel reality. He agrees that the magnitude of the problem does not yield to any easy solution; gradualism may be inevitable under the circumstances. But the planners and policy makers in the country should come to firm grips with the problems which, in any case, will not yield to any piecemeal solution.

Shri Sundaram picks up the same theme but concentrates on the variance in the growth pattern of cities in different contexts and warns against adopting blanket prescriptions. He illustrates the theme by his case study of the Meerut city.

Shri Chandrasekhara peeps into the future and points out the growth and distribution of urban population in India at the turn of the century. He is for arresting the further growth of the metropolitan cities; for this, according to him, it would be necessary to develop new urban centres in proximity to them to serve as counter magnets.

Shri D'Souza and Shri Fernandes take up for consideration the specific problems of housing and transport in urban areas in their two articles 'Urban Housing Policy' and 'Metropolitan Transport Policy', respectively. Shri D'Souza takes the stand that urban population growth is inevitable. Given this, our urban housing shortage can only get worse unless tackled in a far more resourceful and imaginative manner than hitherto. He

scares away a few sacred cows in the process, but that is what adds to the value of his article.

Shri Fernandes feels that no single system of mass transport in a metropolitan area can provide for all movements involved but even the existing forms can be made to work with considerable efficiency with proper coordination between the different means at present obtainable. Here again no single prescription for all urban areas will be possible. Each area has its own transport problems and the solutions should be tailored accordingly.

Prof. Deva Raj, in his note on urban land policy, points out that a substantial part of urban land value is generated by the community and that, therefore, an urban land policy must ensure that the value thus created by the community accrues to the public authority in order to make sure that the available land is used in the best possible way.

In his article on 'Integrating Urban and Rural Development', Shri Sharma has taken up the cause of proper urban development. He points out the lack of consciousness among the State Governments on this matter which, according to him, has resulted in the urban centres not getting their due place in national progress.

—EDITOR

Urbanization and Urban Problems in India

SOME POLICY ISSUES

IN this article we propose to indicate the urbanization trend in India and highlight some of the major problems flowing from the course of urbanization. The identification of problems has of course to be selective depending on the weightage one would like to give to a few features deemed important from one's point of view. Since our primary interest is in policy intervention in the course of urbanization, we will be focusing attention mainly on the major public policy implications of urbanization.

Urbanization Trend

Indian census authorities have adopted a strict definition of what may be called 'urban'. Under this definition, fulfilment of the following criteria is necessary for a place to be designated as 'urban':

1. places having urban local bodies, such as a municipality, municipal corporation, a cantonment board or a notified town area committee; and
2. other places which have : (a) a minimum population of 5000, (b) at least 75 per cent of male working population is non agricultural, and (c) a density of population of at least 400 sq. km. (i.e., 1,000 per sq. mile).

The census authorities in a State or Union Territory have, however, been

given some discretion in respect of some marginal cases to include a place possessing other distinct urban characteristics or to exclude an undeserving place from the list of urban areas.

In terms of the degree of urbanization, measured by the percentage of population living in urban places, India is by no means a highly urbanized land. According to the latest (1971) census, only about 20 per cent of the total Indian population reside in urban areas and the remaining 80 per cent live in the villages. In absolute number, the total urban population of the country comes to about 109 million which exceeds even the total population of many countries, like Canada, France, U.K., Japan and many others. Moreover, the urban areas are experiencing a faster demographic growth, compared to the rural areas. During the last census decade (1961-71) the total population of the country increased by 24.66 per cent. The decennial variation in the case of total rural population was + 21.78 per cent, and the comparable figure for the total urban population was + 37.83 per cent. The growth of urban population in earlier decades has not been marked but after Independence (1947) urban population has been growing at a faster rate. Between 1901 and 1941 the percentage of urban population to total population had gone up by only 3 points, i.e., from 10.85 per cent to 13.86 per cent. It rose to 17.30 per cent by 1951, and in the last

two decades the percentage has gone up by 2.6 points.

The Indian census has adopted a six-fold classification of cities and towns on the basis of the size of population, as shown in Table 1.

TABLE 1

Classification of Cities and Towns

<i>Population Size</i>	<i>Classification</i>
100,000 and above	Class I
50,000 to 99,999	Class II
20,000 to 49,999	Class III
10,000 to 19,999	Class IV
5,000 to 9,999	Class V
Less than 5,000	Class VI

The number of urban places has been steadily increasing over the census decades. One can see from data presented in Table 2 the pattern of decennial increase in the different classes of towns and cities. Evidently, it is the bigger towns class I that account for the major proportion of the urban population. Whereas all the towns belonging to classes II to VI together

account for nearly 48 per cent of the urban population, the cities in class I alone contain the remaining 52 per cent. In some States of the Indian Union, the Class I cities account for even a higher percentage of the urban population. For instance, the figures for West Bengal, Maharashtra and Jammu and Kashmir are respectively 70.25 per cent, 64.74 per cent. and 66.31 per cent. The proportion of population accounted for by the class II towns has almost remained constant. Other lower size classes of towns do not show any remarkable variation over the census decades. Progressively, the smaller towns belonging to class IV and below have been gradually accounting for lesser and lesser proportion of the total urban population.

The data presented in Table 2 clearly show the preponderance of the larger cities in the pattern of distribution of urban population in the country.

Among the class I cities, there are a few giant urban complexes that dominate the Indian urban scene. As shown in Table 3, there are nine such areas with population ranging between one and seven million. Together, they make up nearly 27 million urban population which is about one fourth of the total urban population of India.

TABLE 2

Number and Classes of Towns and their Population Contributions, 1961-71

<i>Class</i>	<i>1961</i>		<i>1971</i>	
	<i>No. of towns</i>	<i>Percentage to total urban population</i>	<i>No. of towns</i>	<i>Percentage to total urban population</i>
I	113	48.37	142	52.41
II	138	11.89	198	12.15
III	484	18.53	617	17.36
IV	748	13.03	931	12.04
V	760	7.23	756	5.24
VI	218	0.95	277	0.80
Total	2461	100.00	2931	100.00

If one adds to it a second batch of about ten large urban agglomerations falling within the population range of slightly less than 1 million to half a million, these two sets of urban agglomerations together would account for one-third of the total urban population of India. Clearly, therefore, the concentration of urban population is highly selective and it is only about 20 large urban areas which are commanding the Indian urban scene.

TABLE 3

Population of Nine Largest Urban Agglomerations, 1971.

<i>Sl. No.</i>	<i>Urban Agglomerations</i>	<i>Population (in million)</i>
1.	Calcutta	7.0
2.	Greater Bombay	6.0
3.	Delhi	3.6
4.	Madras	3.1
5.	Hyderabad	1.7
6.	Bangalore	1.6
7.	Ahmedabad	1.7
8.	Kanpur	1.2
9.	Poona	1.1
	Total	27.0

This has implications for public policies and one might as well argue that a 'balanced' distribution of population would necessitate stimulation of small and medium towns on the one hand and the regulation of growth of the bigger cities on the other. In the Indian Census

Report of 1971, the following remark has been made in this regard :

"...generally the trend has been that the location of industries, the potential of employment, the concentration of services, etc., are still generally centred in the larger cities which continue to draw migrants both from the neighbouring rural areas as well as other urban units. The fast growth of population in the larger cities is accounted for largely by migration .. Often times, the unbridled migration to the larger cities particularly in the expectation of finding employment gives rise to various social, economic and administrative problems which the town planners, policy makers and administrators have to take due notice of. To what extent the towns showing a potential for high growth rate could be used as growth centres to bring up the level of the neighbourhood instead of proving mere parasitic urban growth, will undoubtedly receive the attention of the policy makers".¹

The growth rates of the 18 States in India, as reported in the 1971 census, very considerably, which is indicative of unbalanced distribution of urban population among the States. Table 4 shows the distribution of urban population among the States. It can be seen that Maharashtra is the most urbanised State in India where nearly one-third of the population is urban. At the other extreme are the least urbanised states, like Assam, Bihar, Himachal Pradesh, Nagaland and Orissa where 10 per cent or less of their population is urban, and as the Census Report of 1971 observes : "This seems to surely reflect the relative lack of progress of these areas".

¹ *Census of India 1971—Provisional Population Totals*, Registrar General and Census Commissioner, India, pp. 14-15.

TABLE 4

**Distribution of Urban Population Among
the States of the Indian Union, 1971**

<i>Sl. No.</i>	<i>States</i>	<i>Percentage of Urban Population to Total Population</i>
1.	Andhra Pradesh	19.35
2.	Assam	8.39
3.	Bihar	10.04
4.	Gujarat	28.13
5.	Haryana	17.78
6.	Himachal Pradesh	7.06
7.	Jammu and Kashmir	18.26
8.	Kerala	16.28
9.	Madhya Pradesh	16.26
10.	Maharashtra	31.20
11.	Mysore	24.31
12.	Nagaland	9.91
13.	Orissa	8.27
14.	Punjab	23.80
15.	Rajasthan	17.61
16.	Tamil Nadu	30.28
17.	Uttar Pradesh	14.00
18.	West Bengal	24.59
	Total	324.52

Source : Census of India 1971, *op. cit.*, p 5.

An important concept evolved in the 1971 census is that of 'urban agglomeration' which seeks to define actual urban spread in a specific location irrespective of the limits of institutional boundaries. To quote the census report :

"An agglomeration is made up of main town together with the adjoining areas of urban growth and is treated as one urban spread. The population covered by such spreads is categorised as urban. Each such agglomeration may be made up of more than one

statutory town, adjoining one another such as a municipality and the adjoining cantonment, etc., and also other urban growths, such as a railway colony, university campus, etc. Such outgrowths which did not qualify to be treated as individual towns in their own right and have pronounced urban characteristics are shown as constituents of the agglomeration".

The total number of urban agglomerations, as reported in the 1971 census is 143. These are distributed all over India, some States having more such agglomerations than others. The concept of urban agglomeration may be a useful aid to planning and civic reorganization. As it delineates actual urban spread in a location, its boundary can be accepted for local planning purposes. Many a time, the statutory jurisdiction of an urban local body, like a municipality, remains virtually frozen, while actual urban spread is far more extensive around the municipality. This creates problems for municipal services planning, and the residents immediately outside the municipal boundary live in an administrative vacuum. They would be enjoying municipal services without paying for them. The area outside the statutory limits is marked by haphazard growth and unregulated habitation, as the municipal building bye laws are not applicable in the peri-municipal zone. By making the area of an urban agglomeration coterminous with the statutory jurisdiction of a municipality, it may be possible to remove some of these difficulties. Where such extension of municipal boundary is not possible because of the presence of some other organization, like a cantonment board in the vicinity, their membership of a common agglomeration might sensitize them to think of some kind of an integrated approach to planning and development within the area bounded by the agglomeration. There are many other institutional implications of urbanization which we will have occasion to discuss later as we will be considering

the public policy issues involved in the urbanization process.

Urban Living Conditions

It is difficult to draw a generalised picture of living conditions in different urban areas all over India. If one concentrates on larger cities and towns where the pace of urbanization is much faster, one can discern a certain uniformity in the living pattern of these areas. Usually one finds in them a busy, fairly congested central business district and a pattern of habitation which does not make any distinction between what is compatible and what is incompatible. Shops, small workshops and factories, vegetable and fruit markets, residential localities—all live together almost cheek by jowl. The older cities which the British had chosen and developed for their residential, administrative and commercial purposes, would be having selected areas much more planned and less congested with open spaces and parks and recreational facilities. There would even be two business districts : one representing indigenous way of doing trade and commerce, and another having a much more sophisticated look with well-laid out designs which the earlier rulers and their close followers liked. One can find out in any big city a peculiar amalgam of living styles—some thoroughly westernised and very sophisticated, some peculiarly local in flavour and form and still others on the fringes of the city dotted by shanty towns, huts and improvised dwelling units providing shelter to the poor.

As the city has different kinds of customers, so there is differential treatment to its residents. The supply of services vary widely from locality to locality. The tendency is to supply more and better services to those areas which are inhabited by the affluent class who

can manage to tilt the scale of city administration to their favour. Civic services reach the economically depressed sections and localities of the city irregularly and in dribslets. Commenting on this sort of discriminatory treatment, in Delhi India's capital city—one eminent social scientist writes :

“Anyone who moves about in Shahdara, City—Sadar Paharganj, the old City, and more particularly the area west of Patel Nagar, Tilak Nagar, Rajouri Garden, Anand Parbat, for example, will be appalled at the danger in which the capital stands of either continuing to be unsatisfactory or rapidly turning into a solid slum. None of these localities is free from water shortage, from filth and garbage, from noise and bustle, from vehicular congestion on the carriage way, and pedestrian congestion on the footwalks. From these areas, New Delhi merged with its beautiful, well-tended colonies, receives no loyalty or pride, rather much smouldering envy”.²

Urban poverty is a cruel reality in India as in any developing country and it impinges vitally on the design of urban areas, their living patterns and the supply of civic services. It has been estimated that about 52 per cent of the urban population live near or below the poverty line. An authoritative study on poverty in India makes the following observation:

“During the past decade (1960-61 to 1967-68), the per capita private consumer expenditure increased by less than half a per cent per annum. Moreover, the small gains have not been equitably distributed among all sections of the population. The condition of the bottom 20 per cent rural poor has remained more or less stagnant. The condition of the bottom 20 per cent urban poor has

² Asok Mitra, *Delhi-Capital City*, New Delhi, 1968.

definitely deteriorated; and for another 20 per cent of the urban population, it has remained more or less stagnant. Thus, while the character of rural poverty has remained the same as before, the character of urban poverty has deepened further. This is the consequence of the continuous migration of the rural poor into the urban areas in search of a livelihood, their failure to find adequate means to support themselves there and the resulting growth of roadside and slum life in the cities".³

The picture of urban poverty will be clear from the fact that in the Greater Bombay metropolis,⁴ according to the 1961 census count, the number of houseless persons was placed at more than 62,000. The comparable figure for Calcutta⁵ metropolis was about 30,000. Reporting on the Calcutta urban scene, the Calcutta Plan writes almost in despair:

"The distribution of housing space is similar to that of income: a relatively small minority at the top have a disproportionately larger share. This means that the majority are living at standards far below 40 square feet per person. It must be remembered also that this latter group is not composed solely of singlemen. Countless families also are forced to live in unbelievable congestion in one room, under intolerable conditions of sanitation and water supply. Under such circumstances healthy family living, even in its most humble form, is impossible".

The situation is not dissimilar in other metropolitan cities, like Delhi or Bombay. There is a huge backlog of urban services in almost all the cities and the condition is further worsened by continuous flow of in-migrants from the villages and the small towns. At the instance of the Planning Commission, several studies have been undertaken on the urban living conditions in the major cities of India.⁶ The data collected by researchers present a woeful picture of urban India, where the living environment seems to be deteriorating fast in the face of chronic shortages of all the essential civic amenities like water supply, housing, roads and transportation, education, public health and medical facilities and so on.⁷ It is this deteriorating urban environment and deepening urban poverty which set the background for discussions on public policies. In the next section, we propose to examine the major policy pronouncements in relation to urbanization, and urban planning and development. The policies can be regarded as timely responses to the gathering urban crisis which we have just sketched in discussing the urban condition.

Public Policy Issues

Fortunately, each five year plan in India frames major policies on critical sectors and in the process, takes stock of the existing situation and suggests action programmes for the future. The urbanization trend and the predicament of the urban areas, especially the bigger ones, caught the attention of national planners at the time of formulation of the Third Five Year Plan

³ V.M. Dandekar and Nilakantha Rath, *Poverty in India*, Bombay, 1971, p. 33.

⁴ See, P. Ramachandran, *Pavement Dwellers in Bombay City*, Bombay, Tata Institute of Social Sciences, 1972.

⁵ See, *Basic Development Plan for the Calcutta Metropolitan District* (1966-86), Calcutta, Government of West Bengal, 1966.

⁶ See, Jal F. Bulsara, *Problems of Urbanization in India*, Bombay, 1964. Also see *Patterns of Social Life in Metropolitan Areas*, New Delhi, 1970.

⁷ On Urban Slums, see A. R. Desai, et al. *Slums and Urbanization*, Bombay, 1970.

(1960—61 to 1965—66). The Third Plan looked at urbanization as an important aspect of the process of economic and social development. There are many problems associated with urbanization, such as rural-urban migration, levels of living in urban and rural areas, relative costs of providing economic and social services in towns of varying sizes, housing for different consumer groups, provision of facilities like water supply, sanitation, transport and power, pattern of economic development, location and dispersal of industries, civic administration, fiscal policies and land use planning. In laying down the development policy, the Third Plan had in view the broad objective of securing a balanced development between large, medium and small industries and between rural and urban areas. Accordingly, it was suggested that : (a) as far as possible, new industries should be established away from large and congested cities; (b) the concept of region should be adopted in the planning of large industries; (c) the rural and urban components of development should be blended properly in community development projects or other areas within the district, and (d) diversification of occupational pattern should be attempted in each rural area in order to reduce the dependence on agriculture.

The high costs of urban development were generally attributed to rising costs of providing housing, water supply, drainage, transport and other services. Unemployment, overcrowding, growth of slums and rise in the number of persons without shelter—all these tend to worsen the urban situation further. To quote the Third Plan : "The problems to be faced are formidable in size and complexity, and solutions for them can be found only if their nature is fully appreciated not only by the State Governments, but also by municipal administrations and by the public generally and if an increasing amount of community effort and citizenship participation can

be called forth within each urban area". Certain minimum directions in which action should be taken to come to grips with the urban situation were listed as under :

1. Control of urban land values through public acquisition of land and appropriate fiscal policies;
2. physical planning of the use of land and the preparation of master plans;
3. defining tolerable minimum standards for housing and other services to be provided for towns according to their requirements and also prescribing maximum standards to the extent necessary; and
4. strengthening of municipal administration for undertaking new development responsibilities.

The plan document listed out the following major steps to be taken for *controlling land values* as a matter of high priority :

1. Issue of notifications for freezing land values with a view to early acquisition of land by public authorities;
2. acquisition and development of land by public authorities in accordance with the interim general plans for preventing speculation. The land should be acquired in bulk, although, depending upon local circumstances, the programme of acquisition would have to be suitably phased. Acquisition proceedings should be speedy and legal procedures should be simplified as far as possible. It is important that development of the acquired lands should be expedited. The essential services have to be provided by public authorities.

Besides development undertaken directly by them, under appropriate regulations, cooperative and private agencies should also be utilized;

3. allotment of land on a leasehold basis. As a rule, lands acquired by public authorities should be given out only on a leasehold basis so that, besides the recurring income secured on account of the ground rent, a fair share in the increase in the value of land continues to accrue to the community;
4. betterment levies and taxation of agricultural lands put to non-agricultural uses. These are growing sources of revenue for States and local bodies, but in several States the existing provisions are inadequate;
5. capital tax on transfer of freehold lands;
6. taxation of vacant plots in developed areas with power to acquire if they are not built upon within specified periods;
7. setting a ceiling on the size of individual plots and limiting the number of plots which a single party may be permitted to acquire; and
8. determination of appropriate norms of rent and regulation and control over rents.

As regards *preparation of master plans*, it was suggested that, as an initial step, interim general plans should be prepared to secure orderly development of towns and cities. This would be followed up by the preparation of detailed master plans for urban and regional development. Such plans should, in the first instance, be drawn up for major

urban areas and growing cities where conditions are likely to deteriorate further in the absence of planned intervention.

Regarding *laying down of standards* for housing and other services, the Plan insisted that certain minimum standards should be set for them in order that solutions could be found out to the problems of mass housing and elimination of slums. It was also urged that luxury housing and waste of urban land should be prevented for which a number of fiscal, legal and engineering methods were suggested.

The last item in the policy package, namely, strengthening of municipal administration, was emphasised in the following manner: "At the local level, municipal administrations alone can undertake satisfactorily the task of providing the services needed for development in urban areas, expansion of housing and improvement of living conditions. Most municipal administrations are not strong enough to carry out these functions. They should be sufficiently strengthened by increasing their resources and personnel and by enlarging their jurisdiction and functions. Where the present limits of the selected urban areas are insufficient to cope with the problem, they should be extended. In the case of growing towns, it would be desirable from the beginning to provide for larger rather than smaller municipal areas, so that these towns and the rural areas surrounding them can be developed together in a coordinated manner without having to face difficulties later on account of separate jurisdictions. Inevitably, municipal administrations have larger functions than in the past for providing civic services. It is envisaged that a large proportion of towns will in future have separate development plans of their own and these will be integrated with the plans of States. In this context, a careful review of the administrative and financial measures

which should be taken in cities with a population of one lakh or more other than the metropolitan areas should be undertaken in each State."

The Fourth Five-Year Plan (1969-74) noted the achievements during the Third Plan period, especially in regard to preparation of development plans for a large number of urban centres. In the same breath, it observed that for lack of financial and organisational resources, not much headway could be made with implementation of the plans. The Plan expressed concern about the alarming growth of population in the metropolitan centres and other larger cities. For the metropolitan giants like Calcutta and Bombay, the policy would be to prevent future growth of population as well as to de congest them by a phased dispersal of population. Future planning for other cities will have to be oriented towards stabilization of population at a desirable optimum figure and towards planning new towns in the region for absorbing the spill over population. In this context, the development potentials of small towns in a region need to be explored.

The Fourth Plan, thus, underlined the need for a positive approach to growth of population in bigger cities and smaller towns. In the ultimate analysis, to quote the Plan, "The problem is that of planning the spatial location of economic activity throughout the country". Special emphasis was laid in the Fourth Plan on the following important problems :

1. In the rapidly growing cities, it is necessary to create larger planning regions and the jurisdictions of corporations or municipalities should coincide with the boundaries of appropriate planning areas.
2. Planning has to be supported by 'full legal structure for formulation and implementation'. The

importance of planning law has thus to be realized.

3. The administrative structure of the local bodies needs to be reviewed and rationalized towards better implementation of development plans.
4. Specific functional schemes on water supply, roads, etc., have to be cast within the frame of a long-term plan, and in the long run plans of development of cities and towns must be self-financing.
5. Due to rapid increase in urban land values, land in urban areas has become a potent source of unearned income. Rising land prices, on the other hand, stand in the way of low-income housing. So, a radical urban land policy has to be evolved to facilitate speedy and planned urban development.
6. To solve the housing problem in our urban areas is an uphill task. Through proper planning and land policy, adequate supply of housing has to be attempted.

So far as urban slums are concerned, the immediate attempt would be to try to ameliorate the living conditions of slums.

Thus, the Fourth Plan suggested a much more cautious policy, taking due cognizance of the constraint of resources of all kinds. The Draft Fifth Plan while taking stock of the situation, observed that despite growing awareness in the States of the problems of urban development, they have not been able to make much headway in taking comprehensive action for the adoption and implementation of master plans due, primarily, to financial and organizational bottlenecks at the local level. The main emphasis has been on the extension or

augmentation of civic services and urban amenities without showing much concern for a comprehensive approach to urban development.

The Draft Fifth Plan identified the following broad objectives :

1. to augment civic services in urban centres in order to make them fit for a reasonable level of living ;
2. to try to deal with the problems of metropolitan cities on a more comprehensive and regional basis ;
3. to develop the smaller towns and new urban centres to ease the pressure of urbanization on the larger metropolitan centres ; and
4. to conceive and push through projects of national importance, such as those relating to metropolitan areas or inter-State projects.⁸

The Draft Fifth Plan underlined the need for a multi-faceted strategy to tackle the complex problems of urbanization. To cite a few instances, for a more desirable and balanced spatial distribution of economic activity, appropriate measures have to be adopted to attract industries to new urban centres. At the other end, certain disincentives have to be created to prevent the cityward movement of population. At the local level, innovations in administrative organizations have to be considered to lend support to a range of urban activities. The compulsions of regional and area planning might instigate the creation of new area-wide institutions or some other instrumentalities transcending the boundaries and interests of a congeries of local authorities. Municipal

institutions need to be strengthened by adopting a system of devolution of funds from the States. Last but not least, a very important instrument to carry out planned urban development is a properly conceived and designed urban land policy. Like its predecessors, the Draft Fifth Plan has dwelt at length on the objectives and tools and instruments of a much needed public policy on urban land.

So, looking back, one can decipher in the successive five year plans, a national concern for channelling urban growth along desirable lines. The latest thinking on the subject is contained in the National Urbanization Policy Resolution, 1975, prepared by the Town and Country Planning Organization of the Government of India. One salutary feature of the Policy Resolution is a conscious recognition of the fact that rural development and urban development are complementary to each other and both have to be pursued together to promote healthy human settlement patterns throughout India. The major objectives of national urbanization policy have been identified as follows :

1. Evolving a spatial pattern of economic development and location of a hierarchy of human settlements consistent with the exploitation of natural and human resources of the region, and ensuring functional linkages *inter se* ;
2. securing the optimum distribution of population between rural and urban settlements within each region and also among the towns of various sizes ;
3. securing the distribution of economic activities in small and medium-size towns and in new

⁸ One more objective is to make the industrial townships undertaken by Central Government Undertakings much more self-contained.

growth centres in order to achieve maximum economic growth for the future ;

4. controlling and where necessary, arresting the further growth of metropolitan cities by dispersal of economic activities, legislative measures and establishment of new counter magnets in the region ;
5. providing a minimum level of services for improving the quality of life in rural and urban areas and reducing gradually the differences between rural and urban living.

Some of the strategies spelt in the Policy Resolution deserve special mention. It has been acknowledged that every urban centre does several functions for a size of population threshold. Such centres are hierarchically arranged and have inter-linkages. The functions that cities in each size class render need to be identified and the capacity of these cities has to be enhanced by discovering their missing infrastructures which would then have to be provided to stimulate their growth.

At the bottom of the hierarchy, towns having population between 5,000 and 9,999 will be agro-service centres wherefrom necessary inputs for agricultural production will be supplied. In the next size class, towns with population ranging between 10,000 and 50,000 will have agricultural processing industries with appropriate market yards. Necessary infrastructure for the development of large-scale industries will be available in towns having population between 50,000 and 250,000. These towns, if properly planned and developed, can act as intermediate dams checking the migration of population to large and metropolitan cities.

Within this broad framework, the different urban centres have been sought to be classified in the following way :

1. metropolitan cities with a population of one million and above ;
2. class I cities with a population of 100,000 to one million ;
3. medium-size towns with a population of 50,000 to 100,000 ; and
4. small towns with a population of 5,000 to 50,000.

With a view to guiding future urban growth along desirable lines, action programmes have been suggested in respect of the above types of urban centres. In the first category, the fast expanding metropolitan cities have to be subjected to proper planning and development to guard against unregulated urban growth in future. These cities have been expanding mainly due to the existence of a strong economic infr. structure which attracts new industries. Despite many policy pronouncements discouraging further growth of industries in the metropolitan cities, in fact new industries continue to be attracted toward these centres. Hence, a policy of de-congestion of these cities and decentralization of industries needs to be followed up by a proper industrial-location policy that would provide incentives to new industrial units to move away from the metropolitan cities. Also, such a policy will have certain disincentives for industries to come up in the already congested metropolitan centres.

Another method will be to extend the planning frame to a wide region surrounding the metropolis. Within this region, growth foci have to be identified, planned and developed. These sub-regional centres will be able to absorb much of the population load of the metropolis. It comes close to the British

concept of new towns to receive population over-spills from the metropolitan cities.

In the second category falls a group of intermediate cities which offer the second best opportunity for the development of large and medium industries. If these cities are developed within proper plan frames and endowed with necessary urban infrastructure, they can act as counter-magnets to the metropolitan cities.

The medium towns in the third category can be developed as growth centres. Conditions for self-sustaining growth have to be created and necessary infrastructure provided to help them grow. As agriculture will continue to undergo a process of modernization, various farm and non-farm needs of the rural population may be met from the medium towns where agro-industries and small-scale industries can be located providing in the process opportunities for employment to the job-seekers.

The small towns at the bottom of the hierarchy, as already mentioned, will grow as rural service centres catering to the needs of their surrounding areas.

Two other important measures suggested in the National Urbanization Policy Resolution relate to the regulation of urban land and improvement of living conditions of the urban poor. As regards urban land, the suggestion is to ensure equitable distribution of this scarce resource. Ceilings have to be imposed on the ownership of urban land and property and steps taken to mop up a substantial part of unearned increments in urban land and property values

For the welfare of the urban poor, launching of a minimum-needs programme has been suggested. Ameliorative measures have been recommended to upgrade the living conditions of squatters and slum dwellers.

Implementation Balance Sheet

It cannot be said that all that has been announced as policy directives in the successive five year plans has been actually implemented. For instance, despite repeated policy pronouncements recommending location of big industries away from the larger metropolitan centres, major new industries continue to be set up in or around the metropolitan cities⁹. Also, the policy on urban land has remained largely a paper policy. At no time it has been seriously pursued; nor have its full implications been adequately worked out. Yet, one has to concede the point that since the Third Five Year Plan, the problems of urbanization and urban planning and development have been engaging the attention of planners and policy makers at national and State levels. On the credit side, there are a few notable achievements to report. To promote orderly growth of urban areas and to check unregulated urbanization, master plans have been prepared for all major towns and cities. Currently, regional planning exercises are being carried out especially in large metropolitan areas. Today, town planning is received with considerable respect and the general trend is to introduce the planning techniques in order to mitigate the evils of unchecked urban growth. *Secondly*, attempts are under way to improve the infrastructural facilities in the urban areas. Basic urban utilities such as water supply and sewerage, transportation, etc. are now being augmented in many cities

⁹ See in this connection, R.P. Misra, "Growth Poles and Growth Centres in the context of India's Urban and Regional Development Problems", in Antoni Kuklinski (ed.), *Growth Poles and Growth Centres in Regional Planning*, The Hague, Mouton, 1972.

in a planned way. *Thirdly*, there is growing consciousness today about creating a healthy urban environment. Pollution problems—air pollution and water pollution particularly—are receiving attention at appropriate levels, and legislative and administrative measures are being taken to fight out environmental pollution. *Fourthly*, the problem of urban slums that has so far been marginally attacked is currently being tackled with much more tact and tenacity. The initial idea of slums clearance has virtually been replaced by the concept of slums improvement, and all round efforts are underway to give the slum dwellers a better deal by providing, at least, the essential services such as streets, lighting, drainage, water and public health facilities. *Fifthly*, on the housing front, housing boards have been set up in almost all the States to increase the supply of housing in the urban areas. At the national level, the Housing and Urban Development Corporation has recently been set up to provide capital funds for housing and allied urban development operations. The Corporation has also undertaken limited building construction operations in selected cities. *Sixthly*, the administrative organization for urban development is being toned up in two ways. On the one hand, the traditional, elective municipal governments are being revamped by funelling more funds, improving their personnel structure and training the municipal employees. On the other hand, a new type of non-elective organization, known as the urban development authority, is being set up in the major urban areas to devote exclusive attention to urban development tasks, such as building of new roads, construction of trunk sewers, water reservoirs, houses, etc., acquisition, development and disposal of urban lands, planning and construction of new colonies and similar other capital development functions.

These, no doubt, are piecemeal methods to come to grips with a gigan-

tic problem. The connecting theme in all these efforts is planned intervention in the process of urbanization. As earlier pointed out, the policy planners at the national level are engaged in sophisticated theorising to guide action programmes. But, there are genuine difficulties in the way of applying many novel ideas in the actual field situation. For instance, the country being federal the Central Government can at best give policy leadership; but actual implementation would depend on the constituent State Governments. Nor has the Central Government much leverage presently, as the plan funds directly expendable by the Centre on 'urban development' are too meagre to goad the States to fall in line with the Central policy guidelines. Also, there are competing demands for plan funds. The investments in 'urban development' have low priority, as these are generally looked at as consumption oriented. Rural lobby is much more powerful and is naturally able to get more funds from the plan budget.

The real difficulty lies at the level of the States. In most instances, the States are in acute financial stress, and are unable to divert funds for urban development. The problems of urban development have ultimately to be shouldered by them; yet there is general reluctance to face these problems. The State plans usually pay lip service to urban development, since agriculture and other items have much more pressing claim. In general, the cities and towns are exhorted to pursue urban development tasks by raising more resources from their own domestic sources of revenue, without depending over much on State financial assistance. As an instrument of intervention, urban planning has also been far from effective. It is predominantly land-use and physical change oriented. Socio economic planning is yet to be blended with the kind of physical planning that is in vogue in the major cities and towns. At the ground level, the municipal bodies fall between

two stools. The citizens are reluctant to pay more taxes, as the city government is unable to augment the civic services and even to maintain them with a modicum of efficiency. At the other end, the States want them to provide more and better services and, in general, to improve their performance without assuring any additional financial resources. The municipal bodies have antiquated organizations dating back to the last century and modernization of their administrative structure and operations is long overdue. In most municipal organizations, the political processes have failed to match the needs of growing urban problems. Nor has the quality and quantity of managerial personnel corresponded to the ever increasing administrative responsibilities. The big city government has thus been unable to respond to the urban challenge adequately. Organizational and administrative

disabilities have stood in the way of mobilising more domestic resources and putting up a vigorous bargaining posture before the higher level governments.

To sum up, urbanisation in India, with all its consequences, has been engaging a greater attention of the planners and policy-makers today than ever before. In the absence of any all-embracing macro-policy, the general trend has been to try to solve the problems in piecemeal fashion. Yet, new conceptualizations are being made at the national level and new tools and techniques are being tried out to come to a firm grip with the problems of urbanization. In a developing country, there are known institutional and other constraints impeding speedy and spectacular results. Hence a process of gradualism seems inevitable under the circumstances.

Economic Growth of Urban Areas : The Case of Meerut City

THE city, while being a physical, social or political organism, is an economic organism too. Indeed, the city is predominantly the creation of economic forces. Both Lampard¹ and Stopler² suggest that economic growth becomes impossible beyond a certain point without the development of major cities. The history of urban growth all over the world suggests that before the birth of a city, first a pattern of service centres develops to cater to the needs of a predominantly rural population. Over time, some of these centres develop industrial functions and enter upon a self-generating, self-sustaining cycle of urban-industrial growth. However, in many developing countries, which were formerly under the colonial rule, the growth of 'primate cities' acted to the detriment of the economy of urban areas in the interior. But today, freed from the claims of colonial rule and nursed through the process of planned economic development, the interior urban areas of these countries are building up their urban economic base and are growing.

Evidence from many developing countries, however, suggests that sound public policies are lacking to guide urban economic growth. As a result, the transformation that is taking place there is invariably haphazard, often inconsistent, competitive, and self-defeating. In

India, for instance, a number of development programmes have been undertaken during the plan periods, like location of industrial projects, construction of railways and roads, development of ports, etc., all of which have a marked effect on the transformation of the economic base of cities. Yet, important programme decisions of this kind have been taken without a proper understanding of the urban economic growth processes and in the vacuum of an overall urban policy to guide locations. The result has been that in many cases, development programmes have been undertaken in towns and cities ill-equipped or only partly equipped to generate self-sustaining growth and in locations that are unable to radiate their growth impulses to the surrounding areas. Even where the selection of centres for development projects were more or less satisfactory, the inputs necessary for urban growth were not provided in these centres in their right proportions, in the right time, and in a coordinated manner with the result that these centres have not been able to realise their full growth potential.

It cannot be over-emphasised that if development projects must make their optimum and desired impact, they should be based on an understanding of the urban economic base and urban growth processes on the one hand and of locational

¹ Lampard E.E., "The History of Cities in the Economically Advanced Areas", *Economic Development and Cultural Change*, Vol. III, 1954, pp. 81-136.

² Stopler W., "Spatial Order and the Economic Growth of Cities : A Comment on Lampard's Paper", *Economic Development and Cultural Change*, Vol. III, 1954, pp. 137-146.

perspectives on the other. The emphasis of this article is on the former aspects of the problem, i.e., on urban economic base and urban growth processes and their implications for public policy formulation.

The Governments of most towns and cities want their communities to grow and prosper, and it is usually assumed that the path to progress lies in the growth of employment of some kind. This assumption seems to be supported by the idea of "multiplier effects"—that is to say that any given increase in employment will generate further employment and population growth in other sectors of urban economy. But it is not often clear as to how new employment growth can be achieved and then what type of employment would be most effective in promoting further growth. Some studies³ were recently conducted by the author to gain some insights into this problem.

In this article, it is proposed to discuss the conclusions emerging from these studies and to set out the relevance of these conclusions to questions of public policy.

Growth Functions

At the outset, we may note that from the point of view of urban growth, three functions are significant. These are the urban functions relating to (i) production, (ii) managerial functions, and (iii) distribution of goods and services.

Production refers to manufacturing activities, which could be split into those which produce goods for other urban centres—so-called 'basic' industries—and those which simply provide goods and services to the local community. According to the economic base theory, it is the 'export' industries which bring

money into the town, produce an increase in local incomes and stimulate urban growth. Studies conducted in Japan and India have clearly established that the popular notion that the increase in basic employment is a *sine qua non* for urban growth is true only to a limited extent. It was observed in the case of Japan that larger the size of a city in population, smaller its proportion to the total employment, particularly in manufacturing industries, and also smaller its contribution to the total increase in employment. From this observation, it could be inferred that the relative importance of manufacturing industries in all city-based type industries declines with increase in the size of city. For a city, which has reached a population size of about 250,000 in a developed economy like Japan, the continuous addition of basic production functions does not seem to be absolutely essential for achieving a steady and high rate of growth. This could be better achieved (i.e., without leading to dis-economies) by stimulating other functions. An employment multiplier analysis⁴ in 105 medium size towns in India was recently made by the author. In this study, the multiplier was measured in terms of regression coefficients by the size and function of cities and towns. The analysis revealed that in *manufacturing towns*, the value of coefficients increased from 1.09 in 1961 to 2.30 in 1971 for towns up to the population range of 300,000 and thereafter the coefficients had a decreasing tendency. In the case of *service towns* (tertiary activity predominant), however, the coefficients had an opposite tendency. While they showed a decreasing tendency up to the size of 300,000, they increased from 3.45 in 1961 to 4.20 in 1971 in cities above 300,000. The inference here is that the scope to increase employment

³ These studies were conducted in Japan, Philippines and India when the author was associated with the United Nations Centre for Regional Development, Nagoya (Japan) as Consultant for the Research Project on "The Role of Cities in Attaining a Desirable Population Distribution in the Context of Rapid Urbanisation".

⁴ V.N. Misra, R.K. Wiswakarma and K.V. Sundaram, "Economic Base and Multiplier Analysis—A Study of Towns in India".

by increasing basic activity is greater among manufacturing cities of small medium-size range, whereas in the case of service towns, the potential for incremental employment due to basic activity is expected to be more in the case of large medium-size range cities.

Managerial functions seem to play an important role in the economy of urban areas, particularly in developed countries. Although their significance appears to be limited in developing countries like India, there is some evidence that these are growing in bigger cities. The term "managerial function" may be defined as that function which decides, manages, controls and organises socio-economic activities in a city and its peripheral area. The studies in Japan revealed that cities could be classified under three hierarchic levels in respect of managerial functions : (i) cities with *central* managerial functions e.g., with headquarters of firms in the private sector (and government office headquarters); (ii) cities with *local* managerial functions e.g., branches of firms and sub-contractors in the private sector) and branches of ministries and government organisations); and (iii) cities with no managerial functions. In Japan's medium-size towns, the second level managerial functions are welcomed as they serve to stimulate greatly the local economy and increase governmental revenues. One problem facing the local government officials in medium-size cities in Japan is to devise ways and means of inducing tertiary industry in their cities leading to an enhancement of second level or managerial-level functions.

The distribution of goods and services refers to the tertiary functions of cities. In order to sharpen our focus in employment structure analysis in cities, it is necessary to distinguish between the following two categories of tertiary activities : (i) activities of services that cater to production, called 'production oriented tertiary activities' (POT), e.g., business services, repair services and

wholesale trade; and (ii) activities of services that cater to the indigenous demand and of a highly localised nature, called 'consumption oriented tertiary activities' (COT), like schools, medical services, retail trade, etc.

Urban growth is not merely the function of basic production activities. On the other hand it is a function of a complex of inter-dependent activities. The nature and proportions of the mix of activities or employment components, like manufacturing, production oriented tertiary activities and consumer-oriented tertiary activities as well as managerial functions determine the pattern and rate of urban growth. From our studies, it would appear that the desired pattern and mix of employment components conducive to urban growth would be different at different points of time, corresponding to different stages of city growth. The general pattern of employment growth as generalised from these studies seems to be as follows :

The small cities begin their growth first by attracting industries; thus manufacturing (MNF) has a trigger function, after which the COT starts to thrive entailing a sharp increase in the total employment: the POT element comes into play almost simultaneously, providing linkage functions and augmenting the growth process; at one stage of development, the city starts a growth of an autonomous nature in which the major driving force is the COT.

In the case of studies undertaken in Japan, the following typology of employment structure in cities emerged which seems important :

1. Cities below 0.1 million population with the highest proportion of employment in the MNF sector and yet with a relatively low rate of growth of total employment.

2. Cities with a population between 0.1 to 0.25 million characterised by a high rate of growth of MNF matched by a high rate of growth in the COT sector, leading to a high rate of growth in total employment.
3. Cities with a population between 0.25 to 0.5 million, characterized by the increasing rate of growth in the POT sector, but employment growth is influenced predominantly by the high rate of growth in the COT sector.
4. The million-plus cities, characterized by the POT sector being the predominant sector of employment.

The above mentioned typology, bringing out the changing roles of the employment components with the progression of city size, is indeed very interesting. A point of great significance in this analysis is the intersectoral dependence mechanism, which is quite suggestive. For an initial thrust for urban growth, it seems that it is the concurrent growth of the MNF and the COT sectors which is necessary. The regression analysis carried out in the Indian study provides conclusive evidence in this regard. The coefficient value of MNF drops considerably after dropping COT in the analysis, while it increases substantially when it is included in the analysis, clearly indicating the complementary relationship between MNF and COT in employment growth.

These conclusions point to the fact that public policy must recognise the

crucial variants in the growth patterns of cities in their different contexts and must guard against adopting a blind approach seeking to stimulate urban growth through blanket prescriptions. Each city has to be studied in depth, its economic base analysed and its stage of growth in the development continuum assessed and the right mix of inputs necessary for stimulating urban growth prescribed accordingly. For this, an understanding of the dynamics of urban growth processes is essential.

The author constructed a model of the dynamics of urban growth⁵ which tells us why the city grows and throws light on the determinants and sources of growth during different stages in a development continuum.⁶ This model may be illustrated as follows. Let us consider an urban system together with its rural hinterland. The urban centres of this system may be viewed as products of the countryside set up to perform certain essential functions. Growth in this system is partly exogenously determined and partly generated from within (autonomous). Among the exogenous growth forces, there are two elements, *i.e.*, those that are determined through national policies and those that are induced through the mechanism of inter-regional interaction. Initially, the urban centres of this system grow as small service nodes, but later their growth is in response to

1. structural changes taking place in the rural hinterland which are reflected in changes in such variables as population, employment, production, consumption, technology, organisations and

⁵ K.V. Sundaram, "A Theoretical Framework for the Study of Urban Growth Dynamics"—paper presented to the Asian Symposium on Regional Development, Mysore, 1974.

⁶ Many contributions under the heading of "urban growth" do not specifically deal with the determinants and sources of urban growth. They assume that the urban economy is growing and then proceed to explore the repercussions of growth on the spatial structure of the city. The contributions of Christaller, Higgs, Bon Boverter, Tinbergen, Bos, Pfouts, Weiss and Gooding, Czamanski, Thompson and Pred are however significant in this context.

institutions, social values, income ;and

2. Intensity of interaction with the surrounding rural areas and urban centres of various ranks, such interaction being reflected in the movement of people, goods and services to and from the urban area.

It should be noted here that the structural changes refer to the transformation taking place in socio-economic space, while the rural-urban interaction reflects this transformation in geographic space. Both these changes are manifested ultimately in urban areas through

1. growth of central place functions (non-basic activities), *i.e.*, those which serve the town and a local hinterland such as retail services, education, health, professional services, cultural services;
2. growth of certain non-central place functions (basic activities), *i.e.*, those which are non-local in nature (serving larger than the local market) such as industry, commerce, transportation; and
3. evidence of growth is also reflected in the expansion in certain basic services which tend to grow to accommodate the pressures experienced by growth in (1) and (2) indicated above; such as expansion in water supply, power supply, telephones, transportation.

As the externally induced changes operate, causing the city to grow, simultaneously certain autonomous growth forces are also generated within the city leading to internal structural changes which, in turn, further accelerate the growth. These autonomous growth forces include the multiplier effect, the substitution and import replacement process, and resurgence of economic leadership and creative activity (inventions and innovations). The whole gamut of forces (both growth determinants and

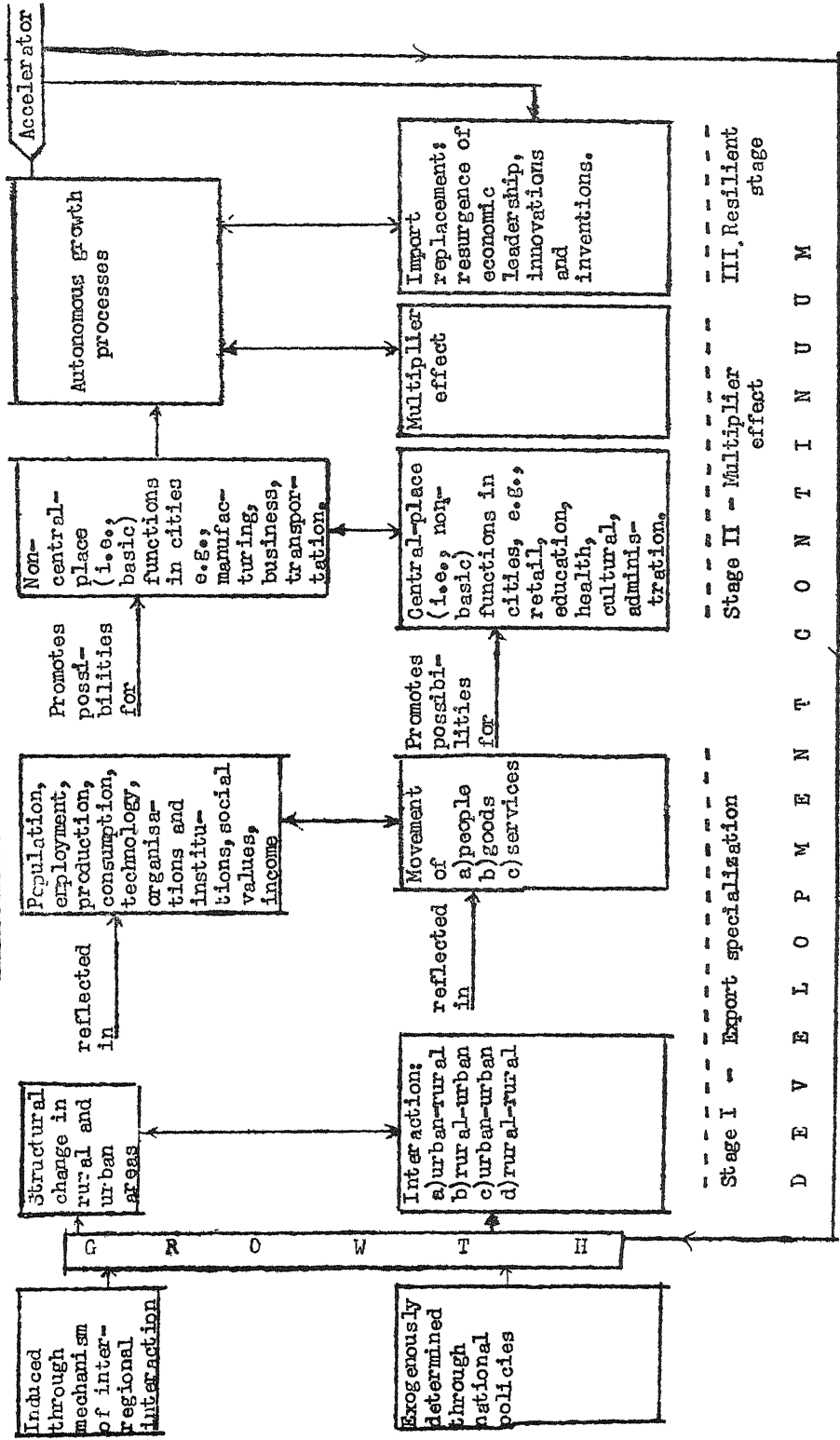
processes) coming into play is illustrated in the diagram on page 20.

The operation of the various growth forces can be viewed in a time sequence of different stages. The stimulus for initial growth probably comes from a single venture or a group of activities, mainly in the secondary sector, setting the *stage for export specialization*. When this original growth stimulus has generated a sufficiently strong impulse to lift the economy to a certain level, other derivative growth forces, such as the growth in the tertiary sector, take over. This we may call the *stage of multiplier effect*. If the economic build-up is sufficiently strong, cities reach a *resilient stage*, where, even when urban growth slackens or stalls, a kind of "challenge-and-response development syndrome" comes into being to support the faltering economy, such as is evident in the substitution or import-replacement process or in the resurgence of local economic leadership and individual creativity. During all these sequences, urban growth feeds upon itself and may, therefore, be viewed as an interrelated process in which each stage in the development becomes a function of the previous stage.

Framing Urban Public Policy

While using the above model as a guide for formulating public policy in relation to urban areas, note has to be taken of the stage of city development. The introduction of this variable serves to indicate the aspect or aspects of public policy that should receive emphasis at different stages. For instance, in a situation in which the centripetal forces are just beginning to make the cities grow, it is obvious that the cities themselves have only a weak economic base and have not reached the threshold level when growth inducing autonomous changes within the urban economy can operate vigorously. In this context the policy should aim at stimulating the pace of structural changes taking place in the

DIAGRAM: DYNAMICS OF GROWTH IN AN INTERACTING URBAN SYSTEM



hinterland and the intensity of the city-hinterland inter-action which would lead to the accretion of basic production functions in the city. On the other hand, in a situation where the cities are mature and well developed, the emphasis will be on deriving clues relating to the operation of autonomous growth. Here, the public policy must devote greater attention to factors accelerating or promoting multiplier effect, import-replacement effect, generation of entrepreneurship, and innovations and inventions. In between, we may have several situations where public policy has to weigh the relative strengths of the various growth-promoting forces.

From the above mentioned account, it is clear that the question of formulating appropriate public policies meant to stimulate the growth of economy of urban areas is not a simple task. Each situation has to be meticulously assessed and appropriate decisions taken only after such a realistic assessment of the factors and components leading to urban growth has been made. Unfortunately, this is seldom done in our country. Urban planners who are supposed to aid policy and decision makers in this respect have not pursued their studies in this context and provided the right guidance. It appears that nearly 400 master plans for towns, cities, and city regions have been drawn up in the country over the last 15 years. Unfortunately, one does not find an in-depth urban economic base analysis in these studies, with the result that they have failed to furnish the right kind of guidance to the policy and decision maker. Even in the studies undertaken for metropolitan cities, like Delhi, Calcutta and Bombay, we do not find such detailed analysis. As an illustration of the utility of urban economic base analysis to policy decision-making, we may cite the example of a

case study carried out in Meerut city.⁷

Case of Meerut City

Meerut city (Population : 1971 : 367,754), is located in an agriculturally productive area and on one of the most active development corridors around Delhi with close linkage to the national capital and to the industrial centres in its vicinity. The city's demographic growth was characterised by slow growth till 1931, a watershed between 1931 and 1941, a sudden spurt between 1941 and 1951, a tendency to slow down during the next decade, and again a rising trend since 1961. The sudden spurt between 1941 and 1951 was caused mainly by the influx of immigrant refugees from Pakistan, following the country's Independence, while the tendency for growth exhibited during 1961-71 may be attributed to the structural changes taking place in the city's economic base.

During the decade 1961-71, the hinterland of Meerut saw important structural changes in its agricultural economy, involving significant increases in the double-cropped area and the irrigated area and a phenomenal increase in agricultural productivity, brought about by the large increase in the number of tube-wells and pumping sets and the use of scientific farm inputs and improved farm implements, tractors, and other farm machinery. There are no attitudinal barriers on the part of farmers towards scientific farming and this has increased the need for urban trips for purchase of agricultural inputs and repair and servicing of agricultural implements, leading to increased rural-urban interaction. The rural working force structure during the last decade does not point to any marked shift or transformation. Agriculture has maintained its predominant position, indicating the attraction exerted by agriculture and its ability to provide

⁷ For full details of the Study, see United Nations Centre for Regional Development, Nagoya (Japan), "Case Study of Meerut (India): Research Project 501", April 1974.

reasonable standards of living. At the same time, a slight increase in rural industrialization is discernible. Thus, the changes that have taken place in the rural hinterland of Meerut are not so much reflected in the employment structure of the rural population as in the technological changes in the agricultural economy, with its concomitant effects on the urban areas. These changes have brought stability to the rural areas and stimulated a healthy rural-urban relationship, with towns acting as service centres. It is this prosperity of agriculture in the countryside and the healthy rural-urban relations that it has fostered which have been the basic determinants of growth in the urban areas of the district.

Meerut city has grown mainly in response to the felt needs of its agricultural hinterland and it is the latter which has been feeding and sustaining its growth. The city grew in the beginning mainly as a service centre and this function still continues to persist as an important component of the urban economy. Around 1951, an important transformation took place when, with the in-migration of a large number of refugees displaced from Pakistan, the tertiary sector of activity began to grow and it became an important trade and commercial centre. This marks the change from subsistence urbanisation to commercialisation. Following this change, the city also began adding to its basic functions and thus grew as an industrial centre too.⁸ All these changes have meant corresponding changes in employment growth and the labour force structure.

In order to derive insights into the structural changes in employment in the city and growth-promoting and growth-retarding factors, employment was broken into its components, and the changes in their structural composition were studied.

In the case of the manufacturing sector, the major thrust for industrial development in Meerut appears to have come mainly from its rural hinterland. The survey of industrial establishments conducted in the city showed that agro-based or agri-business industries predominate, followed by some footloose durable consumer goods industries showing continuous increase during the last decade.⁹ Growth trends in a number of crucial indicators, including value added by manufacturing, fixed capital, working capital, and gross value of plant and machinery have shown consistent increases and the capital-output ratio has also indicated a high increase in productivity.

The city, abounding in potential entrepreneurship with ability to invest, appears to have quite a favourable industrial climate for further development. Linkages with Delhi, which is also a potential market for goods, are another factor conducive to growth. An important change that was observed in industrial firms during the survey was the increasing trend towards institutionalization of entrepreneurship and a perceptible tendency on the part of industrial firms to have an increased managerial component in their personnel structure. All these clearly show that permissive and implemental factors are favourable

⁸ Meerut has a number of large, medium and small industries: sugar mills, distillery and chemical works, metal products, agricultural implements, sports goods, handlooms, etc. The Partapur industrial estate is situated about ten kilometres from it on the Delhi-Meerut Grand Trunk Road and another industrial complex—Modipuram—nine kilometres from Meerut on the Meerut-Roorkee Grand Trunk Road is also being planned.

⁹ Among the 125 registered factories in the city, 30 establishments were surveyed in which detailed investigations were undertaken covering the pattern of employment changes, changes in labour productivity, wages, output, value added, etc., over time.

for a further growth of the basic production functions in the city.

A study undertaken to evaluate the respective roles of the employment components (MNF, POT, and COT) in the growth of total employment in the city provided valuable clues as to the extent of the exogenous and endogenous components in the urban growth process.¹⁰ Among the different activities, MNF has played a predominant role in the total employment followed by POT and COT, showing that at the present stage of development, the exogenous forces are playing a dominant role in urban employment growth. The analysis further brought out clearly the complementary relationship between MNF and COT, emphasizing a vital point that it is the *concurrent growth and joint thrust* of these two sectors that stimulate urban growth in the initial stages.¹¹ This is to be noted as a point of great significance in planning and suggests that through a skilful manipulation of the employment components, urban growth could be greatly stimulated. The employment multiplier analysis for Meerut city shows that at the present stage, a unit increase in basic employment results in an increase of 3.06 units in total employment (*i.e.*, the basic employment multiplier is 3.06); meantime, in terms of elasticity, a one per cent increase in

basic employment results in a 0.78 per cent increase in total employment.

Analysis of labour mobility and comparison with other fast-growing industrial centres in the same region indicated that labour mobility had started playing its role in the allocative mechanism, implying that the economic structure of the city was changing rapidly.¹²

A survey of shops and commercial establishments conducted during the study revealed some interesting conclusions.¹³ About one-fifth of the establishments in the tertiary sector have grown during the last five years only, the leading branches of growth being retail establishments servicing (repair) establishments, and wholesale establishments. In the POT sector, the repair services (particularly agricultural servicing and repairing) and the banking sector have registered vigorous growth, while the COT sector growth has been significant in general merchandise, eating establishments, and personal and community services, particularly their diversification. Time-trend analysis of selected growth indicators reveals that the POT sector has been leading in growth in all the major indicators.¹⁴ The performance of the COT sector shows that it has not been lagging behind but, in fact, is growing fast to catch up with the growth in the

¹⁰ This was done by regression analysis which estimated, first, by the absolute values of total employment in the different categories and, second, by converting absolute values into decadal changes in the total employment in these categories. In the latter case, the analysis was further deepened in order to get definite insights into the relative importance of MNF and COT vis-a-vis MNF and POT in the total employment of the city.

¹¹ In the regression analysis conducted after dropping COT, the magnitude of the co-efficient of MNF suddenly drops in value. Similarly, when COT is included in regression along with MNF, the coefficient of the latter increases substantially.

¹² In this analysis, two measures of mobility were employed, *i.e.*, (1) mean number of job shifts per mover, and (2) job shifts per year or mobility rate obtained by dividing the number of job shifts by the number of years in the job market.

¹³ The sample survey of shops and commercial establishments covered about 100 establishments and was designed to provide information about the owner's place of origin, the year of establishment of the business, the changes in the quantum of sale and employment over time changes in the quality of service and catchment area, the degree of local and non-local consumption, etc.

¹⁴ The growth indicators examined were rental value, property value, annual business turnover, total workers, and managerial workers. The time-spread for this performance analysis is from the year of establishment to the year 1973.

POT sector. The temporal shift analysis indicates that it was only around 1968 that the POT/COT activities tended to assert themselves on the economic base of the city as important sectors of employment generation, pointing to the operation of the export base multiplier since then. Around this period, the population size of the city turned around 300,000, suggesting this population limit as the plausible threshold level for such change.¹⁵ From the clues that we derive from this study, it is also possible to conclude that in the development continuum, Meerut represents the transitional stage between the *export specialization* and *multiplier* stages.

The crucial question from the point of view of public policy is : given the present resources and performance constraints to unlimited growth of the city, what should be the role of Meerut in the developing situation ? In the past, Meerut has undergone changing roles—from a simple service centre to a trade and commercial centre and a regional administrative centre. The impetus for these changes has come from its rich and prosperous hinterland and from those State policies which have had favourable effects on the growth of Meerut. In the present phase, its industrial activities are growing because of the proximity to Delhi which provides a ready market for industrial goods and the entrepreneurial ability of its population. Both 'permissive' and 'implemental' factors of growth are favourable for further growth. The policies in Delhi are in favour of decentralising economic activities to its hinterland; the urban centres in closer

proximity, e.g., (Ghaziabad, Faridabad, Modinager) have already benefited from such policies and their industrial growth has reached almost a saturation level. Among the cities coming next in proximity and potential range to receive the impact from Delhi, Meerut ranks the highest. Thus Meerut is favourably situated to absorb the extra-regional (metropolitan ?) impulses of growth coming to it. Such development would impart to the city a role exceeding that of a regional centre but sometimes very much below that of a metropolis.¹⁶ In our typology of cities, we do not seem to have an adequate expression to connote this role. One wonders to what extent the term 'regional metropolis' will convey this sense to any degree of satisfaction. In any case, the relevant question seems to be : what should be the activity mix that must be planned for Meerut to enable it to realise this goal ? Our empirical findings indicate that the city has reached a stage when autonomous processes of urban growth have already commenced to operate. When the 'threshold' has been crossed for this change, rational regional policy considerations will dictate a diversification of tertiary activities (to ensure growth stability) and a concurrent dispersal of basic production functions to the smaller towns (to strengthen their economic bases and to ensure balanced regional development). In applying such strategy to the Meerut situation, it should be noted that the assumption implied herein that this city will now continue to maintain its growth through self-sustaining autonomous urban growth processes is somewhat untenable, as in

¹⁵ It is admitted that to attempt generalisations based on a single case study is hazardous. The strength of this hypothesis needs testing under varied conditions.

¹⁶ During our opinion survey as well as individual and group discussions with several informed elites in the city, the question of the potential role of Meerut was posed. From the answers of the respondents, two strands of thought can be pulled out: (a) that Meerut should maintain its present role as a regional centre, and (b) that Meerut should grow into a 'counter metropolis', for which it has adequate potential. (The respondents here included some leading industrialists.) Analyzing these two leading opinions in the light of the facts that have come to our notice during our study, it must be mentioned that the evidence tends to indicate that the effort and resources of the magnitude that would be required to develop this city into a 'counter metropolis' do not seem to be forthcoming.

its locational and regional growth context, Meerut has to recognise two competing influences. One of them tends to compete for specialised service functions (apex functions), *i.e.*, metropolitan Delhi, while the other cities (represented by a group of urban centres located in its hinterland) compete for POT and COT activities.¹⁷ In this realistic context, the strategy that seems to suggest itself is that Meerut should continue to add to its basic production functions adequately enough to set the stage for the autonomous growth processes to play their roles eventually. But such additions have to be planned discriminatingly to avoid the evils of growth in the city environment on the one hand and to guard against parasitic and backwash effects on its hinterland on the other.¹⁸

Conclusion

In this article an attempt has been made to emphasise the importance of urban economic base analysis as an aid to policy decision-making. In this context, the urban growth model with its 'stage of growth hypothesis' and the built-in employment component analysis comes in as a valuable tool of analysis. Where a city is located in an under-developed agricultural region, public

policy may do well to strengthen the external stimuli for urban growth by perhaps strengthening the agricultural base of the rural hinterland and by lubricating the patterns of mobility that tend to increase the centripetal forces of urban growth. Where a city is in a 'transitional stage' (*e.g.*, Meerut city) without having attained the stable conditions for autonomous growth, public policy may aim at adding discriminatingly to its basic production functions. In the case of cities which have already reached the 'multiplier stage', a concentration of effort on the maintenance of conditions conducive to autonomous growth is perhaps indicated. In terms of public policy, this would mean augmentation of local managerial functions and sizable additions to the producer-oriented tertiary functions. However, we may note that generalisations with respect to the choice of public policies in relation to urban development are hazardous because of the great variations among cities and the complexities of the urban growth phenomenon. We would emphasise in this context that public policies for city development should be geared to the unique characteristics and functions of individual cities, taking note of their stage of development in the development continuum and differences in their socio-economic settings.

¹⁷ Our enquiries have revealed that 'local service centres' are growing up in the hinterland of Meerut by absorbing some agricultural servicing, repairing, and processing activities (which were hitherto gravitating to Meerut). This is an inevitable trend and a healthy one too.

¹⁸ This implies effective and planned decentralization strategies and close and continuous surveillance of industrial development policies at the state and national levels. Policy inputs must seek to bolster and reinforce such strategies.

Planning For Urban India

WHILE planning for Urban India, we cannot but be concerned about the magnitude of the problem of urbanisation in India. Urban population in India increased from 34 million (12% of total population) in 1931 to 110 million (19.8% of total population) in 1971. Even at this level, the degree of urbanisation in India is much lower than it is in some of the developed countries. The phenomenal effect which this change has had on the pattern of population distribution brings to evidence the actual magnitude of the problem of urbanisation. Between 1961-71, the urban population increased by 30 million, 3 million people per year,

both on account of natural increase and migration. This increase was not uniform in all the States. Some States experienced heavy growth and some others very low growth. The rate of urbanisation closely followed the degree of general development. The more developed States experienced greater urbanisation. The urban concentration has been either in the rich agricultural areas or around new industrial locations and primate cities. Maharashtra had an urban population of 31.2 per cent closely followed by Tamil Nadu, West Bengal and Gujarat. Generally the more urbanised States have a higher per capita income (Table 1).

TABLE 1

Distribution of Urban Population in Towns of Above 20,000 by States and Per Capita Income Range

<i>Per capita income-range (Rupees)</i>	<i>States with urban population in towns of above 20,000 population</i>
400-500	Bihar (7.40); Orissa (5.86); Manipur (9.35) and Tripura (6.44).
500-600	Kerala (14.20); Jammu & Kashmir (14.18); Uttar Pradesh (11.57); Mysore (17.71); Andhra Pradesh (15.72); Madhya Pradesh (12.04) and Rajasthan (12.65).
700 & Above	Tamil Nadu (23.73); Goa (20.04); Maharashtra (27.28); Gujarat (22.03) and Punjab (18.35).

Note : Figures within brackets denote urban population.

The distribution of urban population among different sizes of towns and cities shows that more than half of urban population (52.4%) lives in 142 cities with a population of 100,000 and over and the remaining 47.6 per

cent lives in 2,800 small and medium size cities. The distribution of this population according to size of settlement (see Diagram 1) and rate of growth in the last two decades is given in Table 2.

TABLE 2
Distribution of Urban Population by Size During 1961-1971

Size of Towns/ Cities	1961		1971		Over the decade % Change	
	No. of towns	population in (million)	No. of towns	population (in million)	No. of towns	Population
100,000 & above	107	35.13	150	52.22	40.18	51.52
Larger cities 1,000,000 & above.	7	14.84	9	27.57	28.57	84.89
Other cities 100,000- 999,999	100	20.29	141	25.79	41.00	27.10
50,000-99,999	139	9.53	221	14.84	60.14	55.88
20,000-49,999	518	15.75	652	19.95	25.46	26.68
10,000-19,999	820	11.30	988	13.98	20.49	23.71
Below 10,000	1116	7.22	1109	7.10	-0.63	-2.35
Total	2700	78.93	3120	109.09	15.59	38.21

Source : Census of India 1961 and 1971.

The nine cities having a population of 1 million and over, viz., Calcutta, Bombay, Delhi, Madras, Hyderabad, Ahmedabad, Bangalore, Kanpur, and Poona accounted for 26.73 million people in 1971. Of the 30 million people added to the urban population during 1961-71, one-fourth went into these nine cities. Of this increase of 7.5 million people in these cities, about 3.6 million were migrants; and this component of migrant

people to the million cities was about one-third of the total rural-urban migration of 11.62 million during the decade 1961-71.

The pattern of urban concentration as discussed above indicates the major role played by the primate cities in influencing urban growth in the country. Thus urbanisation trends have led to the growth of primate cities and to some

CHART SHOWING PERCENTAGE VARIATIONS IN EACH CLASS SIZE TOWNS OF INDIA (1901 - 1971)

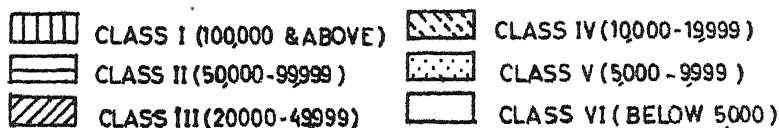
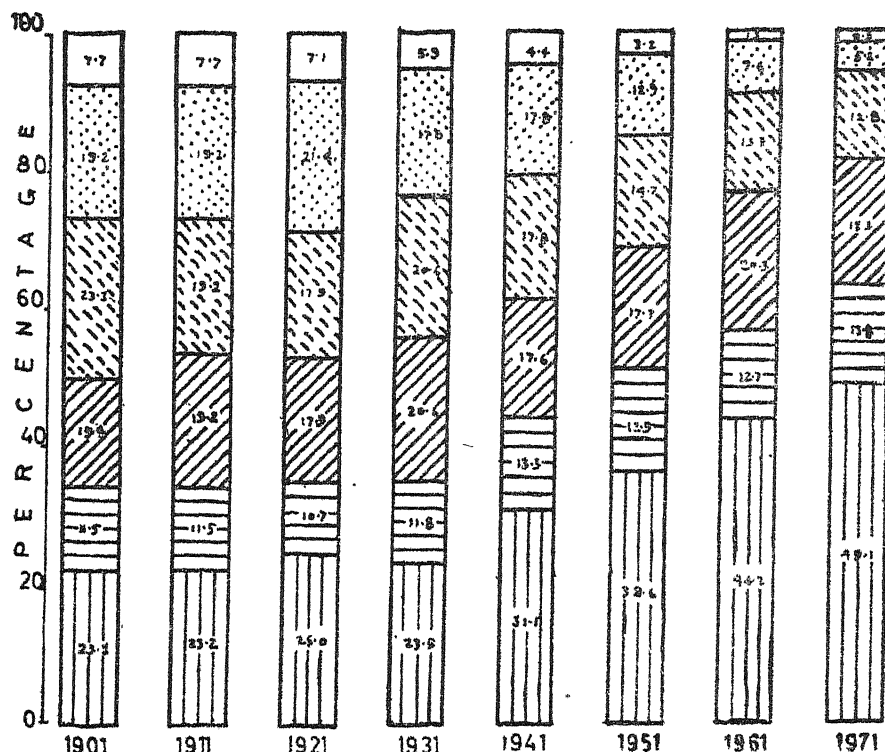


DIAGRAM 1

extent the growth of medium size towns surrounding them. This growth is the cumulative result of certain urban development policies both in pre and post-independent India.

Evolution of Urban Development Policies

In pre-Independence period, there was no national policy or strategy to guide or influence urbanisation. The country was divided into Presidency States, territories under the rule of the princes and centrally administered areas and it was hardly possible to think of any overall policy for the growth of towns and cities. However, in some of the princely States such as Mysore, Hyderabad, Jaipur and Gwalior, the State Administrations had a limited programme of improving the cities, allowing them to expand on their peripheries for which they undertook a number of town extension schemes. They also established new residential areas adjacent to industrial enterprises set up in the resource rich areas, such as the coal mines belt.

In the Presidency States, a programme for town improvement was under way, concentrating mostly on town expansion and civic improvement. New industrial expansions did give rise to labour colonies near Bombay and Calcutta. The development of these colonies was not governed by any overall strategy and it was mainly the economics of industry that decided the location and planning of such colonies. Although new industrial cities like Jamshedpur and Kanpur did come up in this period, they were isolated instances and did not play any role in influencing the pattern of urbanisation in the surrounding region. At the same time they attracted uncontrolled slums in their immediate periphery which even today pose a serious problem.

The period during 1947-51 may be stated to be a preparatory stage for developing programmes and strategies on all fronts, specially in agriculture,

industry and backward area development. There was recognition of the problems of urban centres such as the industrial cities of Bombay, Kanpur, and Calcutta, and the need to overcome the sharp differentiation between urban and rural areas in regard to living standards. However, the main programme in this period related to the rehabilitation of displaced persons, which took a major share of our effort and resources.

In the post-Independence period, the First Plan (1951), recognised that the cities and towns were growing haphazardly and were causing deterioration in the conditions of living in them. The Plan recommended a National Town and Country Planning Act which would provide for zoning the use of land, control over ribbon development, location of industries in areas considered suitable and the preparation of Master Plans. The Plan further emphasised the great importance of regional planning in the context of several river valley projects schemes and rural community development projects, and specifically recommended that regional planning should take into account the population, agricultural conditions, industries and communications of a region with a view to securing a balance of population between villages and market towns and industrial centres.

The Second Plan (1956-61) which laid emphasis on industrial growth, particularly basic industries, recognised the impact which locations of new activities such as industries, markets, irrigation and power development schemes would have on the distribution of population and recommended that all these be coordinated within an overall frame of development drawn up for each region and each State.

The Third Plan specifically provided for the preparation of comprehensive development plans for practically all the major cities and their surrounding areas including industrial centres and also for

some of the important rapidly growing regions both in the East and in the North. The Central Government provided 100 per cent financial assistance for these exercises, provided the States were able to establish a satisfactory legal base and come out for the implementation of the Plan subsequently. At the same time, a beginning was made in drawing up development plans for metropolitan cities and the regions around them, providing for the growth of secondary centres to reduce pressure on the metropolitan city itself.

As components of public policy for guiding urbanisation, the following have been generally accepted, and also practised to the extent possible.

1. Large size cities, specially one million cities, should not be allowed to expand any further and as far as possible new industries and other economic activities which accentuate growth should be located away from these centres.
2. New urban centres in proximity to the metropolitan cities should be developed as counter-magnets so that the migrant population can go into these counter-magnet locations and thereby reduce the pressures on the metropolitan cities. In order to promote growth in these counter-magnets, industrial activities are to be channellised into them by providing incentives in the form of land at concession, power, water and other facilities.
3. New urban nuclei should be planned in resource rich areas with a view to generating growth in those areas. For this purpose, the large industrial towns that have been established during the last two decades are being made full use of as well as other towns

where obvious advantages for establishing new activities exist.

4. The medium size towns in the range of 50,000 to 300,000 should be provided with adequate services and amenities, housing and properly laid out industrial estates and industrial areas so that they could attract new growth into them.
5. The location of these various growth centres and focal points are to be chosen within the scope of integrated regional or area development plans.

The Fourth Plan (1966-71), noting that urbanisation is an essential concomitant of industrialisation, pointed to the need for balanced regional development and dispersal of activities. The Plan also recommended for a regional approach to urban development and the need for an urban land policy with special attention to be paid to land values and strengthening the administrative structure of local bodies.

The concrete programmes that emerged during the Fourth Plan were slum clearance, environmental improvements in slum areas, social housing, urban water supply and sanitation, land acquisition and land development and preparation of Master Plans for cities and regions.

The measures taken so far in the area of urban development have at best been able to touch the fringe of the problem. There is no gainsaying the fact that while the economic condition has generally improved during the two decades of planned development, improvement in the quality of life in urban settlements has been only marginal.

While during the Fourth Plan, there was a growing awareness in the States of the problem of urban development,

the main emphasis in the urban development sector continued to be on the extension and augmentation of civic services and amenities.

In the Fifth Plan (1974-79), the objectives under this sector have been enlarged and include several steps as given below :

1. To augment civic services in urban centres as far as possible and to make them fit for a reasonable level of living;
2. to make efforts to tackle the problems of metropolitan cities on a more comprehensive and regional basis;
3. to promote the development of smaller towns and new urban centres to ease the pressure of increasing urbanisation;
4. to assist in the implementation of projects of national importance, such as those related to metropolitan cities or inter-State projects; and
5. to provide the necessary support for the enlargement of the scope and functions of the industrial townships undertaken by the Central Government—undertaken so as to make them more self-contained.

Although the welfare of such a large urban community has been taken care of by the urban development policies since the planned development in the country began, the problems faced by urban India are even now enormous. The growth of cities and towns is not uniform. The infrastructure facilities are totally inadequate and in some cities

are in a critical stage. The availability of urban land and housing, especially for the poor, is scarce. Nearly 20 to 25 per cent of the urban population lives in slums and in squatter settlements. Immigrants continue to flow into the urban areas and will continue to do so in the future also. Hence, it is necessary to take a look into the long term perspective of channelling urbanisation, lay down a National Urbanisation Policy and take effective measures for its implementation so that a healthy and orderly urban development takes place in the years to come.¹

Future Prospects of Urban India

The future prospects of urban India depend upon the growth of urban population of the country which is likely to increase from 109 million in 1971 to 278 million in 2001, a cumulative growth rate of 155 per cent as against 52.3 per cent for the rural and 72.4 per cent for the total population during this period. This tremendous growth in urban population will place the ratio of population living in urban areas to those in rural areas at 3:7 as compared to 1:4 in 1971.

Assuming that 30 per cent of the urban population will be urban by 2001, the remaining 70 per cent of the estimated population of 945 million in 2001, will be rural (Table 3). The entire working force of the rural sector can not possibly be absorbed in agriculture if the rural per capita income is to show any substantial improvement over the present. Therefore, it becomes necessary to think of a higher percentage of population to be engaged in agricultural pursuits, which means a higher percentage of urban population.²

¹ Town & Country Planning Organisation, *National Urbanisation Policy : An Approach*. Proceeding of the Meeting of Expert Group on National Urbanisation Policy held on 28th January, 1975 at Vigyan Bhavan, New Delhi.

² TCPO, *Towards A Human Settlement Policy in India—2001*, September, 1975.

TABLE 3

Growth and Distribution of Urban Population—1961-2001

Year	Scenario 'A'			Scenario 'B'			Desirable rural population (in million)
	Total urban population	population (in million)	per cent urban	Total urban population	population (in million)	per cent urban	
			per cent growth rate			per cent growth rate	
1961	79	18.0	26.4	79	18.0	26.4	360
1971	109	19.9	38.2	109	19.9	38.2	439
1981	150	22.5	37.6	165	24.7	51.3	503
1991	205	25.6	36.7	265	33.1	60.6	536
2001	278	29.4	35.6	445	47.1	67.9	500

Source : Scenario 'A' : Government of India, Registrar General of India, *1974 World Population Year*, CICRED Series, The Total Population of India. The figures for 1961 and 1971 are actuals.

Scenario 'B' : Government of India, Town & Country Planning Organisation, *A Model for India's Urbanisation Pattern for 2001 A.D.*, December, 1974.

As per estimates the rural population would be about 667 million consisting of 222 million workers of which 178 million will be engaged in agriculture. This will tantamount to a per capita income of Rs. 1173 per worker per annum as against Rs. 870 and Rs. 469 per family member as against Rs. 330 in 1970-71. To attain at least a per capita income of Rs. 53 per month per family member engaged in agriculture (*i.e.*, to double the income by the end of the century), the share of agricultural workers will have to be limited to 125 million (out of 160 million workers in rural area) and rural population to 500 million. This demands acceleration in the rate of urbanisation to reach a level of 47.1 per

cent by 2001 which will still be much lower than the present level of urbanisation in many developed countries.³

The major implications of such a desirable urban population and its desired growth trends (Diagram 2) would be in terms of a higher productivity and near full employment in both agricultural and non-agricultural sectors which would mean the doubling of per capita income by the year 2001. This increased income will improve the social and economic conditions of 'man' and his 'habitation'. As regards improvement in the system of settlements, it visualises a major shift in concentration of population from metropolitan cities to medium size cities.⁴

³ Town and Country Planning Organisation, Government of India, Ministry of Works & Housing, *A Model for India's Urbanisation Pattern for 2001 A.D.*, December, 1974.

⁴ *Towards A Human Settlement Policy in India—op. cit.*

URBAN POPULATION TRENDS

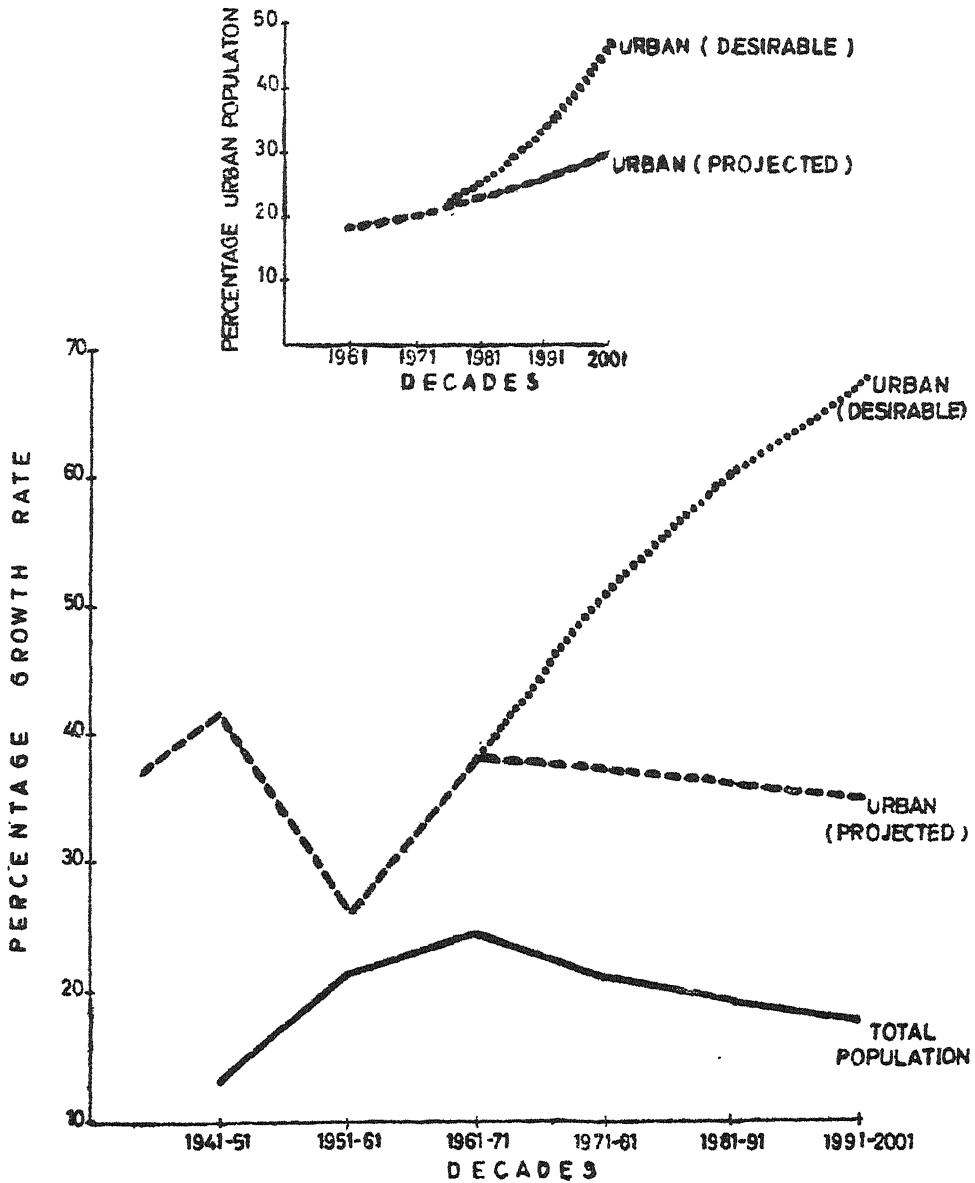


DIAGRAM 2

Guidelines for Urbanisation Policy

The assimilation of the desired levels of urbanisation calls for a restructuring of the system of human settlements within the framework of national and State policies for urbanisation. Broadly these policies would take into consideration the following aspects :

1. Promotion and sustenance of economic activities (amongst them industrial development) in the different parts of India, specially in the backward areas through the provision of necessary urban infrastructure.
2. Discouraging population growth in metropolitan and large cities and diverting such growth to medium and small size settlements.
3. Development of a more rational pattern of urban population in a hierarchical system of cities, towns and villages relating to the resources for economic development needs of each area.
4. Achieving an integrated rural-urban growth complementing each other to achieve higher economic and social prosperity.⁵

Future Urban Development Policy

The type of urbanisation emerging in the country has not been very conducive to economic growth. It is consumptive urbanisation rather than generative urbanisation. This trend requires to be reversed in future programmes. The building up of developmental infrastructure at appropriate places may help steer and direct urbanisation in the right directions and lower the pressures on highly

congested areas. A judicious location of industries and large scale development projects may reverse the trend of urban sprawl and squatters and lead to a healthy and more rational development.

For controlling, and where necessary, arresting the further growth of metropolitan cities, it will be necessary to develop new urban centres in their proximity as counter-magnets and in order to promote growth in these counter-magnets, industrial activities will have to be channelled into them by providing incentives in the form of land at concessional basis, power, water and other facilities. New urban nuclei should be planned in resource rich areas with a view to generating growth in those areas. Under the existing plans, the medium size towns in the population range of 50,000 to 250,000 are being provided with adequate services and amenities for putting up industrial estates and for developing industrial areas so that they could attract new growth to them. In future these facilities should be extended to smaller towns also to check migration from smaller cities.

Any development programme for future urbanisation in the country should consider that the urban and rural areas constitute parts of an organic whole and therefore, are complementary and not competitive to each other.⁶ The inter-relationship between rural and urban areas and rural and urban development are extremely complex involving such variables as job and market opportunities, migration, spread of knowledge, technology, etc. The prospects for the production of the surplus needed to support 'generative' urbanisation, based on a growing rural market for consumer goods, and for a balanced and integrated national development are becoming easier.⁷

⁵ Chandrasekhara, C.S., A paper for the Senior Level Seminar on Urban Development Strategies for Obtaining a Desirable Population Distribution, UNCRD, Nagoya, Japan, 1974.

⁶ *National Urbanisation Policy, op. cit.*

⁷ *Towards A Human Settlement Policy in India—2001, op. cit.*

In view of the above, the basic problem is not only the present plight of the cities but also the often unrecognised relationship between rural and urban and between urbanisation and national development of the country as a whole. It is not that one is a part of the other but "that both are part of a larger totality, is in fact true, a perpetual summation of national and adapted spaces. We pass from one to the other without interruption, from the territory of the farmer and forester who modify the landscape on a larger scale, but within recognised limits set by ecology, to the summation of individual development focii, individual adaptations of space, in the city which is a resultant modification of the landscape not in defiance of natural matters, but which exist because they are of advantage to man in that place", having evolved from instinctive adaptation to decisive adaptation and from smaller communities to larger communities.⁸

This rural-urban relationship is to continue even on a more sound footing in future in spite of the growing rate of urbanisation in the country. It will

require a check on the rural-urban migration which can be made possible partly by providing certain urban amenities, like power, water, sanitation, roads, medical and educational facilities in rural areas and partly by encouraging multifarious economic activities to boost local employment opportunities. Such measures will help to absorb the unemployed and underemployed in agriculture thereby stabilising the trend in migration and checking depauperisation of rural economy. The gradual elimination of the disparity in rural-urban living standard will tend to bring about a dynamic equilibrium in the urban-rural relationship with migration of men and economic activities in both directions motivated mainly by economic opportunities and individual choice and not by economic and social compulsions. There will emerge ultimately an interdependent hierarchical system of settlement pattern consisting of basic villages, service villages, service towns, market towns, growth points and growth centres, growth poles and growth clusters and a pattern of population distribution based on resources, ecological consideration and individual human happiness.

⁸ Chandwick, George., *A System View of Planning Towards a Theory of Urban and Regional Planning Process*, Oxford, Pergamon Press, 1971.

Urban Housing Policy

POLICY is a big word to apply to our attitudes to the problem of sheltering the people in our towns. In turn we express concern, anxiety, horror and shame at what has happened and what is happening before our eyes. We hold meetings, seminars, symposia, conferences, colloquia, conventions, congresses and consultations—the latest fashionable terms—in great profusion and equal monotony to debate the problem. There is a dismal sameness that marks these exercises: they all tend to happen in pleasant places and at pleasant times of the year; they invariably commence with fanfare and flourish; they end on a satisfying and unanimous conclusion that they were “useful” (to whom, for what, how?); they attract largely the same gang of travelling “seminarians” or “congress-men” who flit from seminar to seminar with astonishing agility and indifference to expense or utility.

In tangible terms, one wonders, have these recurrent extravaganzas had an effect either on the evolution of a policy, or in speeding up positive action to mitigate our housing problem, or even in spotlighting the nature of the problem or focusing attention on its essence? While we travel from one gathering to another the problem grows in size and gravity. We lament the inadequacy of resources available to meet our difficulties, yet there is a tendency to squander those resources, to use them in such a way that each lakh of rupees we spend shelters much fewer families than is possible.

Our shortage is enormous: the Fifth Plan Draft estimated the urban housing shortage alone at 6 million units (including 3 million for households living in hutments). During the Plan period the shortage is likely to grow by 5 million units, including a million caused by existing houses needing replacement. To cope with the *total (rural and urban) shortage*, the Plan visualises an outlay of Rs. 580 crores for public housing programmes, apart from Rs. 450 crores for Central Government employees' housing, and Rs. 3640 crores for houses to be built by private agencies.¹ As is well known, this last component will cater only to the upper classes, and even on the questionable assumption that their homes will cost an average of only Rs. 30,000 each, can account for just 1.2 million homes by 1979.

Current Urban Housing Demand

Let us assume that we try to cope only with the urban problem and restrict our effort to meeting the extra need arising during the Plan period, forgetting the enormous backlog. If the 1.2 million houses we expect in the private sector are excluded, we would then need 3.8 million houses in the public housing programme. On the very conservative and somewhat unrealistic assumption that we could put up these houses at a cost of Rs. 4,000 each, we would need Rs. 1500 crores simply to end up with the same backlog as we now have. Rs. 1500 crores, as against the Plan allocations of Rs. 580

¹ Government of India, *Draft Fifth Five Year Plan, Volume II*, New Delhi, Planning Commission, 1973 pp. 260-262.

crores and Rs. 450 crores, merely to stay where we are in the towns, ignoring the rural areas. So we have to run very much faster than our legs will carry us, merely in order to stand still !

But I am falling into the hypnotic trap that this dismal arithmetic induces in so many of our regular seminar-goers. The shortages run into astronomical figures that mesmerise us. The problem is so stupendous that you throw your hands up helplessly; or you confine your attention to the not-so-low-income people who can pay, and who are fewer; or you content yourself with reading pseudo scholarly papers at seminars.

Or else, you lay down a seemingly sophisticated prescription: turn off the flow of migration into our cities, not by anything as draconian as a ban on entry into the cities, but by an enlightened policy of employment dispersal, so that the tide of urban population growth will begin to ebb. Develop employment centres in the rural areas and the housing problems of our towns will vanish overnight.

But will they ? Will people really stop flocking to our cities and towns ? To think so is to ignore what has been happening the world over. In nearly every country, whether policies of dispersal have been adopted or not, large towns have grown larger while small towns have also grown ; metropolitan cities have grown fastest of all. This may be because people come to cities not only in search of employment but also *inter alia*, to secure the anonymity that large cities offer, or to escape the often intolerable social pressures that afflict them in villages. In any case, the process of urbanisation is apparently inexorable. No Canutian policies will stem the tide.

Nor is it altogether clear that we ought to stem the tide. This is not the place for a detailed argument, on the

merits of dispersal as against concentration. There are various factors in the argument, especially one about regional imbalances and social justice. But if a country aims to grow as fast as possible in an economic sense, if the goal is maximising net national product, then is a policy of urban concentration less appropriate than one of dispersal ? Is there really such a thing as an optimum size for cities ? Does not the "optimum size" concept, when it is based on facts or calculations at all, rely on a computation of the cost of public services (which admittedly escalate faster than population size) and ignore the benefit side, which seems to escalate even faster ?

But the dilemma between dispersal and concentration policies need not detain us, given the fact we have noted earlier, that urban population growth is inevitable. Our urban housing shortage, then, can only get worse, unless we are determined to deal with it, unless we fashion policies that really take account of the limits on resources available to us and discard wishful yearnings for the moon. In this paper, therefore, I shall make a simple assumption ; it is a questionable one, given the history of our housing effort. It is that we really mean to lick the problem, that we really intend to use the resources available in such a way as to shelter the vast majority of our urban people. What kind of people are these, this huge majority ? They are people very near the poverty line, if not below it. Nearly 70 per cent of Bombay's families live on less than Rs. 250 each month.² Calcutta's people are still poorer : the percentage is 83 there.³ The picture is not very much better in our other cities and towns. I assume, then that our determination to house the majority of our people necessarily relates to this large underprivileged majority, and that we are not excessively concerned about the fortunate people in the top 20 per cent of the income scale, even if some of them make

² Lakdawala, D.T., *Economic Survey of Bombay City*.

³ Sen, S.N., *City of Calcutta : A Socio-Economic Survey*.

up the middle class, to which policy makers generally belong.

Allocation for Public Housing

We know that builders in the private sector do not cater to this class of people. The gains are too low ; the risks of loss too high. So it is only the public housing effort that can meet the needs of the bulk of our people. And yet the resources earmarked for public housing form a small proportion of the total outlay in each successive Five Year Plan, as the Table below⁴ shows.

Investment in Housing Under Each Successive Plan

<i>Plan</i>	<i>Housing component</i>	<i>Total outlay</i>	<i>Percentage of (2) to (3)</i>
1	2	3	4
I	1150	3360	34
II	1300	6750	19
III	1550	10400	15
IV	2800	22635	12
V	4689	47561	10

It is tempting to deplore this steady reduction, to ascribe to it the plight in which we are *vis-a-vis* housing, to assail the Government for the low priority it apparently attaches to housing, to demand higher allocations in future plans, as though that would solve the problem. Such criticisms, and the related demands, are habitually made at our frequent conferences, symposia and seminars. They overlook two factors. The first, that there inevitably are calls on the Government's resources that simply cannot be denied—the requirements for food production, energy, and related items—if the nation is to progress at all. Surely, housing cannot make a higher claim.

Secondly, we have not really tried to use effectively whatever resources we can

spare for housing. Let us find out how we could answer a charge that we have used our resources largely to give houses to the top 15 or 20 per cent in the income scale, or at best for those less well off in this top income group. I believe it will be conceded that the major contributions to the public housing programme, such as it is, have come from the Housing Boards set up in the various States. With a few exceptions these Boards have in recent years built houses at costs ranging from Rs. 7,000 upwards to Rs. 50,000 and more in the larger cities. What does this entail for the allottees ? A Rs. 10,000-house allotted on a hire-purchase system involves a monthly instalment of Rs. 66 if the hire-purchase extends over 20 years and the interest rate is an improbably low 5 per cent. If the house is given to the allottee on rent instead of being sold (on hire-purchase) the rent would be about Rs. 42 plus about Rs. 13 to cover maintenance. And then there are, in both the hire-purchase and the rent cases, extra charges for municipal taxes and other services, which would in only a few cases be less than Rs. 22 p.m. (In Bombay these extras would come to about Rs. 40.) Even if the monthly payments due were subsidised to the extent of 50 per cent, as is the case with some of the rental housing for the economically weaker sections (E.W.S.), families given these houses would have to spend between Rs. 38 and Rs. 48 on housing. You have to be lucky enough to get a subsidised house, and if you do, your income has to be between Rs. 380 and Rs. 480 for you to be able to spare so much every month. If there is no 50 per cent subsidy you must earn at least Rs. 760 to be able to live in Rs. 10,000 houses. Now this rules out all but the highest 10 per cent of our urban households. Thus houses that cost Rs. 10,000 or more are clearly beyond the reach of most of our people. Even a house built at half that cost is ruled out for 80 per cent of our

⁴ A Report of Study Group on *Rural Housing*, Ministry of Works & Housing, Government of India, March 1975, Table 1.02. p. 66.

urban population, unless it is heavily subsidised. We shall deal with the pitfalls of heavy subsidies later in this paper. If there is no heavy subsidy, and if we still persist in our determination to house the bulk of our people, the public housing programme evidently has to stop building houses at costs higher than even Rs. 5,000, except perhaps : (1) in numbers proportional to the size of the population that can pay for them, or (2) in our effort to raise resources for the programme by heavily overcharging the middle and upper classes for houses built for them.

Has the effort we have made so far been characterised by either of these conditions? Most of the "low-cost" houses we put up are so expensive that they serve only the lower-middle classes, not the poor. We often delude ourselves by allotting them to people who falsely declare their incomes below their real level. Recent surveys⁵ of occupancy made by HUDCO showed that 73 per cent of some Rs. 8,600-houses built for families with income below Rs. 350 a month were occupied by households with higher incomes. In houses costing Rs. 10,000 built for such people, about 90 per cent were occupied by families that were better off. Nearly 60 per cent of the houses had been sub-let. Very often we defend such allotments with specious arguments that houses of a reasonable standard should be built for those who can pay, and that there is no demand from the really poor. Naturally there will be no demand from the really poor for houses for which it is beyond their means to pay. The real challenge to our planners is to house the vast majority of our people in the lowest income classes.

Safety Designs—But at What Cost ?

I have deliberately used the word "planners", and have not referred to engineers as such in that last sentence.

Should we rely on our engineers for a solution any longer ? We have gone to our engineers with this problem for years, and have steadily got good, solid, safe design answers that turned out to be more mechanised, more technically advanced, greedier in their use of scarce resources like cement and steel—and, naturally, more expensive. Of course, they have been safer and more durable solutions, but are we searching for durability at such high cost ? Is it sensible to dangle before a family that can barely pay for what it needs to eat, a house guaranteed to last 50 years, but the payments for which will eat up half or at least a third of its income ? A cheaper house designed for a much shorter life-span may meet its need ; during that span the occupants will undoubtedly find the wherewithal to repair and renew it. Do we not daily witness applications of the concept of renewability in housing, both in the rural areas and in our urban slums ?

Safety too can be an overplayed theme. An impression has been successfully spread that the high-rise concrete monsters which now disfigure our cities are highly fire-resistant and their occupants are largely immune to fire-hazards. Serving on a committee that the Maharashtra Government appointed a year or two ago on this problem, I discovered how untrue this was. I found that for various reasons, and despite precautionary rules, the skyscrapers in Bombay were virtual death traps for their occupants to an extent that no squatter hutments could be. Turning to structural safety, I believe it is easy to show how building costs in the public housing effort are jacked up by reckless multiplication of safety factors. In a recent project near Delhi the local engineers rejected a cheap design that HUDCO had proposed although they had to admit its soundness from a structural point of view. It was only

⁵ *Household Surveys of Allottees of HUDCO Financed Houses*. Housing & Urban Development Corporation, (Unpublished Manuscript) April 1975, September 1975.

“just safe”, they admitted, but yet not good enough. You must allow for contractors’ malfeasance in execution and the local engineers’ failures in supervision. So you add safety factors, and costs. Who eventually pays for such failures in supervision that lead to expensive overdesigning ?

It would be facile to conclude from such considerations, and it would be equally foolhardy for me to suggest, that the principal obstacles to an effective solution of the housing problem are the attitudes or the quality or the integrity of our civil engineers concerned with the housing effort. Such a hasty generalisation would overlook the innovative efforts of the institutions like the Central Building Research Institute at Roorkee, which has persistently sought for cheaper solutions. It is unfortunate that its solutions have not gained wider acceptance, and that, by and large, houses for the poor are being designed with little regard to such solutions.

Housing Norms Need Drastic Change

It is useful at this stage to ask ourselves what we really mean by a house, because some of the misdirections to which I have referred in the earlier paragraphs stem from our preconceived notions about acceptable standards. By and large, we are apt to think of a house purely in terms of brick and concrete and cement and steel, in terms of a building life of 50 to 60 years, in terms of a right to privacy, and with some attendant characteristics and norms affecting the number and size of the rooms, the width of the walls, the floor-to-ceiling height, the number of windows. Most houses in our cities get built according to norms born of these preconceived notions which are largely the creation of the elitist upbringing of our designers. We seldom pause to think that a house may mean something different to the poor

people who are to occupy it. And who, after all, is better qualified to decide on the nature and characteristics of a home than its occupants ? Do they emphasise privacy, for instance, as much as we do ? Do we really consider and study in depth the quality of life in what we regard as slums or do we accept too readily the opinion that they are undesirable dens of vice and disease ? In a careful and perceptive study of a Madras squatter slum, published⁶ in 1975, Paul Wiebe successfully refutes the common impressions people carry about these settlements as being “areas of darkness, despair and poverty”. He finds no indication to support the view that the social effects of slum living may include “family disintegration, the debasing of marriage and the deterioration of youth through parental neglect”; or that such a slum is “a squalid festering morass of lost hope, debased standards and despair”. Wiebe writes :

“Now, no one would doubt that the poor of India’s slums are disadvantaged in various ways. Certainly, many of them know difficulties in providing food, medical care, education, and other opportunities for themselves and their children. Then too, evaluations like those (contained in the quotations above) no doubt are born out of concern for the welfare of the poor. But such evaluations, also, strike of the arrogance of knowing about what the poor need, want, and suffer from without the poor themselves having had the chance to participate in the development of the definitions. None of the evaluations just referred to are based on adequate empirical investigations, and all of them “measure” the poor using standards that at least in ways are inappropriate”.

Actually, several million of our urban people live in such shanty towns, in

⁶ Wiebe, Paul D., *Social Life in an Indian Slum* 1975, p. 4.

more or less the same kind of dwellings that they occupy in the villages from which they come. We do not generally deplore this style of housing in the villages, and yet we discard it completely for the towns, although there is increasing evidence to show that shanty town dwellers regard their own hutments as acceptable dwellings. Moreover, we seldom think it important to provide dwellings at a cost within the paying capacity of the occupants. In the squatter area that Wiebe studied.⁷

"The typical...house is about fourteen by ten feet in dimensions. It commonly has a small hole in one wall that serves as a window, and a doorway that can be closed with a wooden or thatch door. Its floor and walls are surfaced with a mixture of cowdung and dirt and a similar mixture suffices the area by the doorway. Just as in rural India, this mixture serves well when it is carefully applied and periodically touched up. It is cheap, and when dry, provides for an easily cleaned and hard surface. A little cooking area can commonly be found in one corner of the...hut, the family's religious centre, with pictures of some of the favoured deities in another. The thatch roof commonly leaks in the heaviest rains but most of the time gives adequate shelter. The...hut represents an investment of about Rs. 300; the roof costs about Rs. 150, the rest of the house the balance."

Our benevolent, paternalistic attitudes lead us to copy and adopt norms, definitions and specifications from the building codes of developed countries. We stipulate standards that deny to the bulk of our people acceptable and economic homes. To offset these unpractical arrangements, we tend to declare with some unction that poor people's housing must be subsidised. But there are serious

defects in a subsidy system. Firstly, since it involves outright Governmental expenditure it is always limited in size to what the Government can spare in its yearly budgets. In the past two decades, these constraints have limited the size of our housing programmes, which could have been much larger had they sought instead to evoke the people's own contributions, in labour and savings. Apart from this, subsidies in housing programmes lead to a transfer of the house, because the difference in the market value and the subsidised price is a great temptation to original allottees to encash this difference by sale to people who are better off. The original allottees then go back to their shanty towns, which they can afford, and where, one can infer, they were comfortable.

Would it not be preferable to use whatever subsidy money there is, to make the sites chosen for public housing more acceptable and livable? For instance, subsidies could be used to provide or improve medical care, or else to provide bus transport at lower cost, so that even outlying locations would be more tolerable to the occupants of our housing colonies.

Once you reject the direct subsidy solutions, you come up against the paradox that it is chiefly the generous standards you have adopted as minimum that prevent effective solutions to our housing problems. You apply these standards indiscriminately, and they keep you both from seeing or noticing the ever-growing shanty towns that house those who can't afford your standards, and from doing anything to improve them: you are afraid even to charge them a rent for the land they occupy, for fear of legitimizing the occupation.

Our insistence on minimum standards related to brick and cement and steel

⁷ Wiebe, Paul D., *op. cit.*, p. 41.

clearly keeps a multitude of our people living in misery on the street without shelter, while a privileged few, mostly the less poor, get the comforts of brick walls, concrete roofs and privacy. In what respect does this differ from a policy, in a period of food scarcity, that allows two square meals a day to a few selected ones while the vast majority have to make do with half a meal or none at all, on the plea that two square meals are the minimum nourishment a human being needs?

Squatter Colonies

I suggest, then, that in its present state of poverty our country has no alternative to legitimising our squatter colonies. I believe the only urban housing policy that has the slightest chance of success is one of which the principal feature is a *plan* for similar colonies on a large scale, where settlers get only small plots on which they put up whatever dwellings they can afford, with materials that they collect from scrapyards and elsewhere, dwellings that they will improve piecemeal as their own condition improves. As P. Ramachandran writes :

"What is required is a...scheme which will help temporarily solve the problem and yet provide the spring-board for later permanent solutions. And such scheme must take into account two facts, viz., that the resources at our disposal are extremely limited, and that there is no point, when the problem is so gigantic, to talk in terms of decent housing. What we should talk of is decent locality. There is also no point in importing into the discussion standards of privacy and spaciousness. The people living in these slums do not have either of them now and they do not seem to be too keen on having them either."⁸

It is only by evoking the settlers' own effort that housing on a mass scale will come up in a short time. Such colonies will, of course, differ from the present shanty colonies that we ignore or endure; they will be well laid out and well provided with all the municipal services, so that the environment remains satisfactory. But they will be cheap, *and the settlers will pay for the plots they get and the services provided.* Only on such a self-supporting basis can we hope to sustain a housing policy. This will clearly call for a drastic revision of our norms, our concepts of "minimum standards", indeed, our entire building codes. It calls for a complete change of our notions of a "house".

Our notions need change in another direction as well. We have tended generally to place our housing colonies for the poorer classes out of sight and far away from the employment centres. We do this because our susceptibilities are hurt by what we regard as shabby developments, which we are loth to tolerate in our midst. Of course, we find an economic reason to mask our fastidiousness. Land near the work places, we say, is too scare and too expensive to be used for houses for the poor. It could fetch far higher returns by use for upper class houses. And we shed a tear too ; what a pity to burden the poor with the high costs of well-located land ! Valid sounding rationalisation, no doubt, till you remember that peripheral locations for the poor involve an additional transport cost for their home-to-work travel, which generally more than offsets the saving secured by using cheaper land, and thus takes the effective rent level or hire-purchase instalment level beyond the settlers' reach.

Even the theory of land scarcity often has a mythical character. We are almost invariably told that no land is available in a particular urban area for

⁸ Ramachandran, P., "A note on Facts and Solutions" in Desai, A.R. and Pillai, S.D. (eds.), *Slums and Urbanisation* Bombay, Popular Prakashan, 1970, p. 168.

public use, including housing—a version that is nearly as often contradicted by our visual experience as we move around the area ourselves. Even the southern island of Bombay city, generally thought to be one of the most densely packed areas in the country, has large tracts of unused land, unfortunately not easily available for use because of private ownership. A scholar who recently studied Bombay reports :

“The intensity of land use in cities in almost all developing countries is notoriously poor. Apart from the relatively undeveloped areas of Colaba held by the Defence Department (564 acres in Ward A)—an area of extraordinary commercial value and ideal for residential purpose to relieve the commuter flow from the North—nearly a third of the land in four island wards (including the two largest ones, F and G) is devoted to recreation, open space, waste, etc. In a ward, only 17 per cent of the land in this category is actually devoted to recreational purposes ; 19 per cent in F Ward, and 45 per cent in G Ward. Land use surveys on this scale cannot detect the misuse of land in detail (and it is here that the most extraordinary examples of misutilisation arise), but even the crude figures suggest the limits to the popular planning notion that the problems of Bombay derive from the sheer physical shortage of land. There is a great deal of misused or unused land—481 acres of non-recreational open land in G Ward, 65 acres of cemetery in D Ward and 40 in F Ward, 1247 acres of salt pans and marshes in F Ward and so on. Even if such areas were converted into parks, this would be a considerable relief to one set of Bombay’s problems. If the Defence Department holding in Colaba—which has no economic nor security rationale—

were settled at the average density for Bombay island, it would take over 100,000 inhabitants ; at the average density of D Ward, 400,000 (and at the remarkable density of Bhuleshwar district, nearly 830,000).”⁹

The legislation now contemplated to bring about urban land reform will, one hopes, yield at a reasonable cost a large addition to the area in our cities available for public housing and make it possible to locate housing projects near the work centres of the people for whom they are meant. Our concept of an acceptable “house” should take account of its location relative to employment areas.

One of the unfortunate features of our housing problem is the paradox we have seen, that norms and minimum standards fixed for houses out of a humane concern for our poor people, out of a desire to provide them with a “decent” dwelling, have had the effect of closing the door on them and diverting the benefit to those less in need. There is yet another paradox that bedevils the problem, a paradox that is no less disastrous. Here too the difficulty arises out of an anxiety to protect the interests of the underdog. It consists in this, that the tenancy and rent control law that applies in a number of our cities, endemic judicial delays in disposal of civil suits, and the tendency of judicial tribunals to protect tenants from landlords, debtors from creditors—all these combine to make the occupants of houses, whether tenants or hire purchasers, very hard to evict even for prolonged defaults. This is an invitation to default, and makes it very risky for banks and other financial institutions to lend money to private people for house construction, as they commonly do in many other countries. In both the U.K. and the U.S. a very large part of the housing effort is financed by banks, building societies and savings-and-loan associations. These two latter groups

⁹ Harris, Nigel. *Planning the Future of Bombay* (Unpublished Manuscript).

collect individual savings and lend them out to those who want to buy a house. They, and the banks too, are able to conduct these operations successfully because defaults so certainly and speedily lead to the defaulters' eviction. Precisely for this reason, in fact, defaults and the consequent evictions are rare. In our country the difficulty and delay that offset the process of enforcement of obligations cause a vacuum in the financial arrangements available to would-be house builders.

Rent control is another negative feature in our housing picture. By freezing rents at levels that obtained decades ago, after which costs of maintenance have escalated enormously, rent control makes it less and less possible for landlords to keep their houses in good condition. Thus neglected, the housing stock runs down far too rapidly and is prematurely depleted—an outcome that is scarcely in the country's interest. Not does rent control ultimately play the role for which it is intended—that of protecting the tenant underdog from the rapacity of his landlord. The tenant acquires an interest in his tenancy, which albeit illegally, he is increasingly able to convert into cash as the gap between his controlled rent and the tenancy's market value widens. Eventually he sells out or sublets, and uses his gains to move, generally to better housing. Should rent control laws be operating to subsidise a limited group of people in this fashion and eventually to accelerate the decay of the very housing stock that the nation and its poor need so badly?

Conclusion

Can we now summarise some of the prerequisites to the formulation of our urban housing policy, or even some of the ingredients of that policy? It is, I think, clear that, first and most important, we have to decide that housing

must be provided to the poorest people, who make up so large a part of our nation, people whose monthly household incomes fall short of Rs. 500, or Rs. 300, or even Rs. 200.

Secondly, we must settle what we mean by a house. This needs a basic change of attitudes, partly because our present notions take the problem entirely beyond the limits of our resources, partly because the people for whom our houses, are meant have quite different ideas on the subject from the elite who profess to plan and build for them, and partly in order to evoke an investment of the people's own skills. We must realise that the squatter slums that we deplore so unctuously can provide a clue to the answer we seek if their environment can be made wholesome enough, that planned 'Sites and Services' projects on a sufficient scale and conveniently located with respect to work places will provide shelter to the greatest number of families, relative to each rupee, or lakh of rupees, that we spend on the public housing effort. Indeed, this should be the criterion for investment in housing, viz., the number of people sheltered per unit of expenditure.

This will call for quite radical changes in our building codes and bye-laws which today frown on the only solutions that are possible. Obviously then, our quest for solutions must rely rather on methods to bring about changes of attitudes to cheap housing among our elite than on technology.

Implicit in our argument is an abandonment of direct subsidy policies, whether in the field of public housing or in the private sector, where rent control leads to premature depletion of the already inadequate housing stock.

The classes of people above the Rs. 500-a-month income level¹⁰ are few

¹⁰ *All India Household Survey of Income, Saving and Consumer Expenditure*, New Delhi, National Council of Applied Economic Research, 1972.

enough (less than 15 per cent) to be ignored by the public housing programme. Provided our laws about eviction of defaulters can be rationalised and our judicial process speeded up, they should be able to secure finance for hire-purchasing of land and houses from the banks or the Life Insurance Corporation.

Finally, we look forward to better utilisation of land in our urban areas,

especially in view of the coming urban land reform.

The solution is not simple—it never is. But it calls for a realism that has eluded us for years. Can we afford to pretend any longer that we have been concerned about housing the poorest, or to ignore the misdirection of our efforts that has resulted in a benefit to the top 15 per cent or 20 per cent in the income scale?



Metropolitan Transport Policy

THE single-big-city pattern for each State or major region in India that was so evident almost three decades ago, is continuing and strengthening itself today. This rapid growth of big cities has created in its wake many urban problems. One of the most crucial problems is of moving people, goods and services with speed, convenience, safety and economy. Our metropolitan areas continue to face inadequate mass transport facilities, traffic congestion, and functional obsolescence of road geometry, a relic of the pre-motor age. Besides, the suburban sprawl has led to long, time consuming, tedious and expensive journeys to work, particularly during the rush hours of the day.

As far back as 1965, the Committee on Transport Policy and Coordination, set up by the National Planning Commission, recommended, *inter alia*, that it is necessary in our metropolitan cities to take a long-term view of transport needs, both for passengers and goods, and to plan road development, development of road transport services and, where necessary, suburban rail transport as part of a comprehensive and integrated scheme. In these cities, the planning of transport has to be closely related to the scheme of long-term urban planning and location of industrial and economic activities. In evolving transport plans, there has to be the closest possible collaboration among the agencies of the State Governments, local municipal administration and the planning authorities and those responsible for operating road and rail transport services. In fact, the

recommendations of the CTPC themselves have the overtone of a statement of policy on metropolitan transportation.

In pursuance of the CTPC's recommendations, the Committee on Plan Projects of the Planning Commission set up an expert study team on metropolitan transport, to investigate in the first instance, these problems in relation to Calcutta, Bombay, Delhi and Madras.

The Metropolitan Transport Team (MTT) during the course of its tenure made a series of valuable and significant recommendations which fostered comprehensive transportation studies for each of the metropolitan cities under its terms of reference, and consequently the Railway Board set up a Metropolitan Transport Project (Railways) in Bombay, Calcutta, Delhi and Madras to initiate action on a mass rapid transit system by conducting techno-economic feasibility studies in the first instance.

The MTT also recommended short-term measures for optimising the existing traffic and transportation facilities in these cities and, above all, emphasised the need for an integrated land-use and transportation planning in the urban planning process and suggested a unified administration for dealing with the complex problem of metropolitan transportation.

Despite the attention traffic and transportation problems have received, the outlook even to this day for any significant relief does not appear to be

very encouraging. Our metropolitan cities, meanwhile, continue to face the problem of traffic chaos and grossly inadequate mass transportation facilities.

In order to bring about a solution to the transportation problems in our metropolitan cities, we, first of all, need to formulate and adopt a policy on transportation, and prepare action-oriented programmes, along with a properly designed traffic and transportation administration for their systematic implementation.

The metropolitan transport policy must be based on the attainment of the following objectives : (1) Relieve traffic congestion and build road safety measures in our cities ; (2) assign a dynamic role to mass public transportation ; (3) integrate the urban and the transportation planning process ; (4) build mobility into urban life without destroying the urban environment ; and (5) ensure efficient administration for traffic and transportation management.

Major transportation improvements like provision of expressways and high capacity grade-separated rapid transit systems in cities require many years to plan, design and construct before they can be put to use. Since travel demand, generated by increasing population, and employment, continues to rise, there is an urgent need to provide interim improvement to existing transportation service. These interim improvements should include traffic mobility on existing streets, increasing safety, development of off-street parking facilities, improved bus operations and an optimum use of the existing suburban rail facilities. Such improvements should minimise fixed capital investments, be easily implemented, and be capable of a smooth transition into the operation of a long-range traffic and transportation system. Besides contributing to the solution of current transportation problems, such projects would be readily understood by authorities at local

levels, and serve to interest and actively involve them in the many inter-related phases of the traffic and transportation planning process.

Measures such as the separation of traffic from pedestrians, creation of shopping centres and streets free of vehicular traffic are essential for preventing the degradation of the urban environment. Unless traffic is strictly controlled and regulated, urban life will become more and more intolerable as is already the case in our big cities.

For maximum effectiveness, it is imperative that this work be carried out within the framework of an overall traffic operation plan for the city. Implementation of such a plan would undoubtedly increase the efficiency and capacity of the existing roads. It would minimise requirements for costly new urban roadway facilities, reduce traffic accidents and substantially diminish the economic losses, attributable to inefficient traffic operations.

Long-term Measures

A long-range solution to movement of people and goods efficiently in our metropolitan cities, the difficulties of which stem principally from the concentration and haphazard growth of our urban areas does not lie exclusively on better methods of movement or of measures designed to provide additional transport capacity. It lies more in the ability and ingenuity to guide the development of metropolitan cities.

The fact that demand on transportation in our metropolitan cities continues to outstrip supply, regardless of efforts that are being made constantly to increase transport capacity, indicates that increasing the supply of transportation is only half the job, the other half is to reduce the demand for transportation.

The USA, with ample land and grid-planned cities, has found itself unable to

keep pace with the demand for more and more car spaces; it has become clear that a type of Parkinson's Law operates—traffic grows to fill the available road space. Europe has begun to make the same discovery to its even greater cost, for with its small area it has perhaps even more to loose.*

The importance of the demand size of the problem is obvious from what we experience in all our metropolitan cities as well, which are plagued by congestion regardless of the methods adopted for moving people and goods. Commuters in Bombay are just as frustrated with suburban trains as their counterparts in Delhi with the buses. The peak hour rush in Bombay at Churchgate and Victoria Terminus is no different from that at Sealdah and Howrah in Calcutta. The factors that contribute to urban congestion are universal—the tendency to crowd too many people and too much activity into too little space.

In India, 25 per cent of the urban population of 109 million lives in 12 metropolitan cities of Calcutta, Bombay, Delhi, Madras, Ahmedabad, Kanpur, Hyderabad, Bangalore, Poona, Lucknow, Nagpur and Agra.

This mounting concentration, with the resultant pressure for employment, housing, transportation, and services, which defy satisfactory solution, because of prohibitive costs in "social overheads", clearly favours some form of decentralisation directed towards a more rational distribution of future urban growth in the country; not only for improved efficiency and welfare within cities and towns, but also for a more effective bridge between city and country, their needs being reciprocal. In fact, ultimately our aim should be to loosen the grip of urbanisation in India, thereby dispersing urban settlements throughout the country in new urban regions. The new urban settlements would make the

present over-crowding obsolete and indeed offer a better alternative to the present urban sprawl. So we are not only in need of an urban transport policy but also of a policy how to order or regulate urbanisation.

In structuring such an urban pattern the most urgent need is to relate effectively the movement of people and goods with the necessities and amenities of urban life. The solution to the urban development problem on a national scale will obviously depend to a large extent on the manner in which transportation facilities and services are planned and developed to achieve the new pattern of urbanisation. This implies that transportation must foster urban dispersal.

At present the problem of limited means of transportation puts a constraint on locations of towns and cities. But with improved transportation facilities and services, urban settlements, where they could be considered desirable, will become possible and at the same time get linked to the parent city by easy means of communication, and separated by a sufficient background of open land to maintain identity and satisfy all the needs, both of the central and satellite units.

The new urban environment, accepts the existing large cities as inevitable and proceeds to retain and encourage the social and economic advantages of the large city whilst limiting its residential environment in size by factors of social well-being and convenience. This means that the amorphous agglomeration of the urban area has to be broken into units organised around common institutions of daily life such as schools, playgrounds, shopping facilities and the like, and protected from the hazards of through traffic.

Comprehensive planning for the city and its regional matrix is the first step in

*U.K., *Report on the Human Habitat*, "How do you want to live?" HMSO, London, 1972.

achieving good transportation. Planning deals with physical environment as a whole, and transportation forms an essential component of the environment. So, comprehensive developmental planning of environment must include transportation as one of the significant elements of the total planning process. In our country, so far, the traffic and transportation studies and urban development planning have usually been conducted independently, sometimes not at all, with the result that less than a desirable pattern and function is obtained for the urban community.

There is an overall discordant growth of the urban region caused by lack of integration between the urban planner and designer and the traffic and transportation planner. On the other hand, traffic and transportation plans must be prepared as integral parts of comprehensive development plans for cities and their regional matrix; they must set out the manner in which they propose to handle the transport needs, both of passengers and goods, between now and, say, the next twentyfive years. The Union Ministry of Works and Housing which deals with urban development must insist upon such a process. Because, only the preparation of such plans would make possible the much needed integration of land use with traffic and transportation planning.

However, since the conflict between cities and traffic stems from the physical structure of cities, the urban form of our metropolitan and other large cities assumes great significance. Therefore, the two-dimensional approach being adopted in our country towards physical planning, by giving emphasis in the so-called master plans only on land use disposition, may fail in terms of creating an aesthetically stimulating urban environment free from the adverse effects of motorized traffic.

In order to secure the continuous revitalisation of our urban environment, it is necessary to inject urban design in our

physical planning process. Whether it is the redevelopment or development of residential areas, industrial areas or city centre areas, the approach must be on a three-dimensional basis which considers the relationship of buildings to open spaces, to traffic circulation and to parking facilities. However, we will have to develop principles and techniques of linking effectively the handling of traffic with the design of our urban communities. We will have to, first of all, arrive at a concept of communities based on the logistic requirements of the urban dwellers. We need research to determine the relationship between traffic generation, vertical height of construction, and the various types of land uses in our cities. We cannot rely upon western models for our purpose.

There are limits to the extent to which traffic can be accommodated in our disorderly and already congested cities, depending on their size and intensity of development. The level of vehicular accessibility our cities can have, without destroying the urban environment, also needs to be studied and determined.

It may be emphasised that the capacity of our cities to accommodate the movement of people and goods, and the ability of prospective urban settlements to provide a freedom of choice for living, will depend not only upon the highway system and the railway network we have at present but on the degree of mass public transport service they would be required to offer and the level of its quality.

Role of Mass Transportation

The number of owners of private transport is so small in our cities, compared to those who are captive riders of public mass transportation, that the patronage for mass transportation is less a matter of option and more a matter of necessity. Even in the affluent cities of the West, where ownership of private car is so high that their whole mobility is car-oriented,

it is found that a large number of people do use mass transportation facilities like suburban railways, the street car or the public bus system for their movement.

However, private transport competes with public system and makes it difficult for buses to operate efficiently. The problem is not only of private vehicles moving on roads, but also of parked vehicles which occupy valuable road space for much of the day. We must develop a transportation system to keep pace with the changing and growing needs of the people in our metropolitan cities.

There is a great potential for better transport by improving the existing railway network. This could be achieved at a modest cost, when compared with the expenditure on roads which would otherwise be needed.

However, in a complex metropolitan area no single system of mass transport can provide for all movements involved, and coordination between the various systems is essential. In fact a judicious distribution of traffic among the several forms of mass transport is an important factor in sound economic yield.

Centralised Administration

In our cities, the responsibility for traffic and transportation is shared by different agencies. On the other hand so close and interrelated are the problems of mass transportation and traffic in our cities that a single agency should be entrusted with the responsibility for this inter-relationship. All transport matters, such as improvement of the road network, investment in public mass transportation, traffic management measures, balance between public and private transport, must all be tackled in an integrated transport plan which, in turn, is to be related to urban planning for each area. Under the present situation of multiple agencies dealing with metropolitan traffic and transportation, a series of unrelated schemes come up. This also creates difficulty in identifying which investment project should be given priority.

Unless effective action is taken on these lines, there will be growing traffic congestion, the central areas of our cities will become less easily accessible, economic losses arising out of congestion are bound to mount, road safety will be impaired and, above all, the pressure of the moving and parked vehicles will increasingly damage the urban environment.

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A Note on Urban Land Policy

LAND is a national resource with inelastic supply. Apart from reclamation that may increase the land surface marginally, one can only think of increasing supply of types of land by a change of use or providing inputs for a more intensive utilisation of a given land area in order to obtain the optimum or the most advantageous return with due regard to maximising the welfare of society. As the vast majority of productive land is privately owned, a balanced use of this resource can be ensured either by a regulated system of controls or by public acquisition of land and its re-allocation and development.

Urban Lands and Their Characteristics

Urban lands represent the most intensive form of land use. They are the most costly of all social uses and require to be specially developed. Urban land sites are a commodity—a finished product. In the hands of a development agency, private or public, the inventories may be said to consist of (a) undeveloped 'raw' lands, (b) lands in process of development like 'goods in the pipeline', and (c) the finished product as a ready buildable site for varying uses and may be, with varying degrees of density. There are also the existing urban lands requiring a total renewal through a fresh process of re-development for a more viable intensive use.

All land is a scarce national asset and urban land a most scarce commodity. With rapid urbanisation, the supply of urban sites has lagged far

behind the fast growing demand. There are hardly any public authorities in most urban areas holding stocks or inventories of urban land. Two more characteristics of urban lands may be noted. Firstly, urban land is a permanent asset. It is rarely expendable. While structures may suffer from obsolescence, the land itself does not generally depreciate with use. On the other hand, its use, re-use and change and intensification of use adds to its value enormously, out of all proportions to its value as 'raw' land or even, as initially developed site. Secondly, an owner's lands can develop in absentia, without his making any appropriate investment. The land acquires developmental attributes because of investments made in infrastructure by Government agencies, local authorities, private developers in the neighbourhood or even in relatively distant areas.

The value of urban land consists of and is augmented by the following factors: (i) the market value of the 'raw' land or undeveloped land subject to uses other than urban; (ii) investment in infrastructure by public authorities; (iii) development by private owners; (iv) change of use from 'raw' non-urban, urban or of residential to commercial, low density to high density, etc., either: (a) as a result of planning decisions embodied in a physical plan with statutory backing; or (b) by owner himself with or without permission depending on whether such permission is required in law; and (v) Socio-economic factors such as rapid growth and influx of people in an urban area,

leading to increasing unearned increment in urban land values—as also speculative deals and cornering of lands particularly in the urbanisable undeveloped peripheral areas.

Urban Land Policy

It is obvious that a substantial part of urban land values are generated by the community without the owners contributing towards its development. An appropriate urban land policy must, therefore, ensure that the value created by the community accrues to the public authority, responsible for planning and development, in order to enable it not only to produce adequate land for urban areas “but for making sure that it is used in the best possible way” and that the costs for making available urban lands are kept as low as possible. The other imperatives that can be identified are :

- (a) The use of urban land cannot be left to the discretion of the land owner or user. The preparation and implementation of urban development physical plan must be the responsibility of a public authority.
- (b) The public authority must guarantee and enforce a pattern of land use in accordance with the urban development plan.
- (c) Production of adequate urban lands to meet the present and future demands and increasing the stock to keep a balance between the urban and national environment; as also the creation of a land reserve by the local planning and urban development authorities and thus control prices and speculation in land.

While there are instances of preparation of physical land use plans and public authorities have to some extent

assumed the responsibility for regulating use, not many public authorities have undertaken any substantial production of urban sites for various uses—residential, commercial, industrial, administrative, institutional, cultural etc.—and land supplies have lagged far behind the needs of fast expanding urban society. There is a sharp divergence between demand and supply and the soaring prices of land are not only a severe obstacle to socio-economic development but have resulted in extreme deterioration of urban environment, multiplication of slums and shanty colonies, extreme congestion, filth and squalor and a mounting backlog of housing and public utilities.

It is relatively easy to set out broad objectives as also some measures to serve as guidelines to an urban land policy. The question is what are the strategies to achieve these objectives and to make urban development an effective, viable and self-liquidating proposition. The following steps are offered in this regard:

- A. Large scale total acquisition, development and disposal of urbanisable lands particularly of ‘raw’ land in the peripheral areas of existing towns and cities, and in the outlying and regional areas for satellites and counter-magnets—in accordance with an over-all physical land use and communications plan.
- B. For the areas left out of acquisition, enforcement of the patterns of land use in accordance with the urban development plan and imposition of development charges, betterment tax or a capital levy to mop up unearned increments in land values.
- C. Organisation of an effective administrative machinery duly equipped technically and legally for an all out effort matching the challenges and the immensity of

problems arising out of rapid urbanisation processes now and in the coming couple of decades.

Land Acquisition and Development

Only a large scale operation by a competent authority can ensure adequate 'production' of urban land to build up necessary stock and to create a land reserve to meet the requirements of a fast growing urban community. This envisages the following measures: (a) Preparation of a city and regional spatial land use plan with statutory backing; (b) freezing of existing uses so that the mere provision of more remunerative use in the plan does not automatically entitle the owner to switch over to that use but would require definite sanction of the authority coupled with the liability to pay development charges or other levies; (c) the notification of the urban development plan has the effect of creating additional value for land, either because of change in land use or due to investment made or to be made in the infrastructure by the public authority. It is therefore, necessary that compensation to be paid to the existing owners for acquisition of lands and properties should be based on existing use and the income derived by the owner from such use rather than on the potential value created due to urban development and socio-economic effects of urbanisation; (d) all land requirements of various agencies, government or private, including individuals, should be addressed to the urban public authority (functioning as the land reserve holding authority) which should be able to meet the various demands and locate them according to prescribed land uses; (e) all land disposal or allocations should be on lease-hold, specifying particular uses, and reserving to the public authority a major share in the future increase in value.

Taxation Measures

Urban lands and buildings are subject to a variety of taxes and it is necessary

to distinguish between (a) municipal rates and taxes levied by city Governments each year as a percentage of the annual value (in U.K. India, etc.) or of capital value (as in USA) of land and buildings or even as site value taxation (in New Zealand Fiji, etc.)—to meet recurring expenditure for maintenance and improvement of municipal services; and (b) levies as development charges or tax on the appreciation of value of land or buildings or both as a result of improvements made by the public authority and/or due to socio-economic factors to mop up whole or part of unearned increments. This is not a recurring annual tax but may take the form of tax on profits/capital gains when a property changes hands or a levy on the increase in value between two relevant dates—say the date of notification for enforcement of land-use plan or scheme of improvement and a subsequent date determined by the public authority. It may also be a combination of all these levies.

The first belongs to the local authorities responsible for the maintenance of civic service and distribution of public utilities while the second group is tied up with capital projects and urban development operations of planning, development and expansion, as instrument of ploughing back to the urban authorities—values generated by social process and urbanisation processes.

Administrative Infrastructure

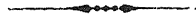
The two types of functions noted above are of different dimensions and involve different technologies and financial arrangements as also expanding rather than static jurisdictions with area wide implications. Existing civic authorities having primarily revenue budgets have not been found suitable for dealing with problems of urban expansion, planning and regulation of growth for the reason of their (a) preoccupation with current problems of maintenance and provision of personal services; and

(b) limitations of jurisdictions beyond which they cannot function or there are multiple jurisdictions of different local authorities in the area covered by an urban development plan, as it must.

Moreover, creation and holding of urban land stocks and reserves is a tremendous operation requiring special expertise as also a strong overall authority to act as the custodian of urban lands so as to guarantee land uses in public interest. There are two types of organisational models that have been pressed into service, namely, (a) special statutory urban planning and development authorities such as some of the metropolitan development authorities

(e.g. Delhi Development Authority) in India or new towns authorities in U.K., etc. or (b) an upper tier authority at the regional or metropolitan level such as metro Toronto, etc., with links and division of functions and resources with the second tier civic bodies.

Needless to say, no urban land policy or any policy for socialisation of land and for regulated development according to an urban development spatial plan can possibly be implemented without an effective and viable administrative organisation at the local level, ensuring full coordination between the development agency and the municipal authority.



Integrating Urban and Rural Development

THE immense social and economic costs of urbanisation, manifested in chaotic urban growth, slums, blight, over-crowding, congestion, insanitation, traffic problems, scarcity of basic amenities and necessities, though not easily assessable, are not difficult to visualise. The urban centres continue to grow without any diversified or balanced economic base as the corresponding infrastructure for economic development is not available. This results in growing unemployment and underemployment. Unless serious and concerted efforts to control this situation are made, the urban features of the country will continue to be distorted under the increasing social and economic stresses and strains. These problems, however, point out to a much deeper malady, *i.e.*, lack of planning and direction in urban development.

Somehow the efforts made so far in the direction of planned urban development have not met with the desired success. The plans prepared for the development of urban centres have remained mainly regulatory and the positive development envisaged in these plans has never materialised, they have not yet become a part of the mainstream of the national planning process.

Consequently, there has been non-utilisation or under utilisation of the generative capacity of urban areas and creation instead, of regional disparities. Thus, urban development continues to lag behind development in other areas and sectors of the economy causing

thereby many social and economic frictions. What we are doing at present is to provide for the growing requirements of urban population on an *ad hoc* basis. The sum total of all such diffused uncoordinated investments, without creating any appreciable impact, though working out to a substantial amount, is likely to bring no result. If, on the other hand, all these investments are made as a part of a well-conceived and coordinated long-term plan, a good deal of overlapping and wasteful expenditure would be saved and that will bring maximum benefit. This is possible only when the urban planning becomes an integral part of national planning.

Weakness of Present Planning

The need for interlinking of urban planning with national planning has been emphasised by several expert bodies from time to time. The Planning Commission in its note circulated to various State Governments as early as in August 1962 unequivocally underlined the urgency of integration of urban development with the process of national development. The following paragraph amply denotes the significance attached to the above function: "A weakness of planning under the first, second and third Five Year Plans has been that, on the whole, urban areas have not thus far entered organically into the scheme of national development. To an extent the plans of States have provided for urban water supply, industrial and low income housing, slum clearance and improvement and expansion of medical and educational facilities, but the greater part of

the urban population and the representatives of the people in municipal bodies have not been involved in developmental efforts in the manner in which, despite limitations, the rural population and rural leadership have been involved."

Even though the Planning Commission has pursued its recommendations on the above subject and it has figured in the agenda of the annual conferences of State Ministers for Town and Country Planning in 1965 and afterwards, no tangible progress has been made in this direction. In following these recommendations, the Town & Country Planning Organisation, the Government of India, formulated some model city development plans so that the State Governments could adapt them and bring about the integration of city development plans with the State plans. But this scheme could not make proper headway.

The lack of consciousness on the part of the State Governments in this matter has resulted in depriving the urban centres from having their due share in the national progress. Another disadvantage has been that the Master Plans or comprehensive development plans, which have been prepared for various towns and cities, have remained only paper plans and the amount spent on them has become infructuous.

Causes of the Functional Gaps

What is the reason for this lacunae? Is it lack of awareness on the part of the State Governments? Is it some technical or procedural factor which has been responsible? It is not possible to find out a precise reply to these questions. To some extent the lack of awareness has been responsible but the technical factor has also contributed to the shortfall. Obviously, the lack of awareness on the part of the planners may be attributed to the rural bias in our planning process which has relegated the urban areas to a secondary position. The community

development programme, which aimed at uniform development of the villages, excluded the urban areas from its purview. This resulted in the neglect of locational factors and diffusion of growth impulses evenly over the entire area. The growth potential of urban areas, which could otherwise be utilised for an integrated and balanced development of both urban and rural areas, remained concentrated in the towns. This gave rise to the urban-rural dichotomy and the growth of large cities and metropolitan centres resulting in the present chaotic conditions. So far as the technical or procedural factor is concerned, the main handicap has been that the many of the master plans are not capable of being implemented directly nor do we provide for its implementation. In most cases the master plan is not a detailed plan, it gives only general and long-term programmes and policies of development. For the purposes of implementation it has to be interpreted from an overall point of view so that it can be "turned over" to implementing agencies. A proper phasing with fiscal programming is necessary. It is only for this reason that the Government of India came with the idea of preparation of city development plans within the framework of comprehensive master plans.

Another difficulty in the proper interlinking of urban development programmes and the State or national development programmes is that the planning and implementation of functions in case of urban development are vested in two separate agencies. The planning function is generally discharged by the town and country planning organisation of the States while the local bodies are responsible for the implementation. The local bodies, by virtue of their constitution, are not able to have a clear and proper perspective in focus and a positive development aspect. Both these require substantial mobilisation of local resources, but somehow, both tend to be neglected. Furthermore, there is multiplicity of

agencies and each agency tries to interpret the development plan in its own terms. This pinpoints the need for the creation of a unified agency which can handle the twin functions of planning and implementation of a city development plan (The success of interweaving these two functions has been amply demonstrated by the Delhi Development Authority).

The first and foremost condition for including urban development organically into the scheme of national planning would be the interlinking of economic planning and spatial planning at different levels. In different States these two aspects are being dealt with by two separate agencies and in most cases there is no coordination between them. As a result, the development plans for urban centres are being formulated in isolation. If these two agencies start working in a coordinated and integrated manner, it will not only make urban development a part of national development but will also help in the maximisation of benefits from economic planning. This assumes a greater significance when the investible resources are scarce, introduction of the dimension of space into economic planning will be instrumental in checking the wastage of resources.

Necessity of Interlinking of Economic and Spatial Planning

The intertwining of spatial and economic planning is also necessary for establishing a balanced urban rural relationship. The rural-urban relationship committee and other expert bodies have recommended that the planning process should aim at a balanced and integrated development of urban and rural areas. This is imperative for the removal of regional disparities in the country. With this purpose, the Planning Commission has accepted the district as a unit for planning, because at this level a complete integration of urban and rural development can be achieved and both

can be made to act as complementary and supplementary to each other in development.

It is, therefore, obvious that the integration of economic and spatial planning has to be achieved at three different levels, i.e., State, district, and local. At the State level the agencies of economic planning and spatial planning may proceed together in evolving a state policy of urban and regional development.

Such a policy would be a guiding factor in deciding the location of important and major industrial projects. This will lead to the emergence of patterns of settlements and community life that are suited to our economy and social conditions thus assigning a positive role to urbanisation in rapid economic development of the State. Once this policy is formulated, it would be possible to check further concentration of economic activity in a few major urban centres.

District as a Unit of Planning

At the district level the integration of spatial and economic planning will lead to the formulation of viable district plans which will ensure a balanced development of the entire district. In this, it will be possible to plan for a network of growth centres which will be capable of absorbing and generating growth impulses over their hinterland. This selective decentralised concentration of economic activity will be helpful in optimum utilisation of resources by locating the economic and social activities in a judicious manner.

The Government of India has in view a very ambitious programme of formulation of district plans and it has issued comprehensive guidelines in this regard. The State Governments are also engaged in preparing district plans to be implemented concurrently with the States'

Fifth Plan. Though serious efforts are being made in this direction, the success does not appear to be within an easy reach. The main reason for the short-fall is the lack of expertise at the district level for formulation of sound district plans. Again, in the absence of spatial planning, district plans may become an aggregative framework of different sectoral programmes. Although the integration of functional factors is in itself a commendable achievement, yet, the purpose of formulation of district plans would not be served if spatial integration is missing. The need for creation of an agency at the district level, which can provide a spatial outlook to the district plan, can hardly be overemphasised. This agency can ensure the maximisation of benefits from economic planning by keeping in view the suitable location for different activities. Thus a good deal of overlapping and wasteful expenditure is saved and the economic and social costs are minimised.

The process of formulation of district level plans is quite complicated and it will take sometime to develop sophisticated techniques for this purpose. But whatever district plans have been formulated in the country so far, do not reflect any satisfactory movement in the right direction. The idea of integration of functional and spatial (or locational) factors has not yet come to the forefront. Without this, the district plan will continue to be a sectoral plan and a plan of targets and achievements in various fields. The location of future economic activity and infra-structural facilities will again be evenly diffused without creating any impact. Thus the urban centres will continue to grow at the cost of their hinterland. What is essential is to break this dichotomy and to create a network of growth centres for a balanced urban-rural relationship. Therefore, without this integration, the re-orientation of the planning process from "planning from the top" to "planning from below" will have little meaning.

Planning of Urban Areas

The whole structure embodying the integration of spatial and economic planning will fall if this is not attempted at the local level, *i.e.*, at the town level. Actually this integration, though difficult to achieve, is the most important. If proper planning is not done at the local level, it will not be possible to formulate the development plans for the towns or cities within the district. The planning for development of a town should be attempted in a long-term perspective of at least 20 to 25 years and this requires a comprehensive assessment of the potentialities and needs of development of a town. The functional character of the town is one of the important parameters of planning according to which other requirements are calculated.

The present efforts for integrating the development plan of urban areas into district plans are restricted to inclusion of certain short-term programmes relating to water supply and drainage. But it is necessary to have programmes defined in terms of the other sectors of the economy also. It will pose a problem before the planners to find out the needs of a town in the absence of a master plan. Even if a master plan is available, it may some times become difficult to interpret it and find out in it properly phased programmes in terms of physical and financial terms. This again calls for the formulation of a city development plan within the framework of a master plan. The city-development plan is a key plan or a plan of action to implement the master plan of a town. If such a plan is prepared, it will be possible to dovetail it conveniently to the district plan and through it to the State plan.

Creation of a Suitable Mechanism

It must be obvious now that the process of integration of urban and rural development programmes would imply

a complete integration of the economic planning and spatial planning activity at different levels. One of the basic reasons why this integration has not been achieved so far is that the working of the physical planning agencies and the economic planning agencies is in water-tight compartments. While decisions of fundamental importance have been taken in one field, the other has been unconcerned with it. It would, therefore, be necessary in the best interests of the country to create a suitable mechanism which can ensure a coordinated and integrated working of the two agencies.

For this, the initiative has to be taken at national level. The multi-level division of the Planning Commission should combine with its urban development section. Similarly, 'town and country planning', which is now a subject of the Ministry of Works and Housing should be transferred to the Ministry of Planning. At the State level, although in some States it is already there, the subject of town and country planning should be transferred to the planning departments. At the lower level it might not be possible to create spatial planning agency in each district, due to the constraint of resources. But for the time being whatever units are working, the use of their expertise may be made in the formulation of district plans in which integration of urban and rural development programmes has been sought.

It will not be out of place to mention, even at the cost of repetition, that implementation should not be separated from plan formulation at any level. It is now a recognised fact that the gaps in implementation have been due to the mistake of assuming merely the plan formulation as planning. The sole judgement of the soundness of a plan is its implementation. Therefore, implementation is the logical sequence of plan formulation and planning definitely includes preparation and implementation of a plan.

Right Opportunity

It is high time that the integration of economic planning and spatial planning is achieved. If this opportunity is missed we will have to wait again for another plan to effect this integration, which will result in dissipation of scarce resources, increased regional disparities and greater urban-rural dichotomy. On the other hand, with the interlinking of economic and spatial planning activities, it will be possible to understand, in physical dimensions, the inter-relationships and interactions amongst different programmes resulting in investments being distributed in a pattern that would be most conducive to proper interaction amongst them. It will then be possible to achieve the maximisation of benefits from economic planning, avoid wastage of resources and plug the gaps between planning and implementation.

Book Reviews

METROPOLITAN GROWTH : PUBLIC POLICY FOR SOUTH AND SOUTHEAST ASIA, ed. by LEO JACKOBSON and VED PRAKASH, John Wiley & Sons, N.Y., 1974, pp. 301.

This second volume in the South and Southeast Asian Urban Studies series presents nine papers on several aspects of developments of and in urban areas and their linkages with public policy. The unifying links in the themes are provided by the commonality of the issues as also by the overall context of the newly developing economies and societies in broadly comparable frameworks. The topics raised and discussed range widely from specific issues like water supply, case studies of Karachi and Calcutta, appraisal of the performance of Singapore and Bangkok and housing standards and finance to general problems like housing policies, consequences of urbanisation and urban planning in the context of 'new urbanisation'.

In selecting some aspects out of such a diverse coverage for comment, no uniform criteria can easily be applied in a systematic form. Thus, without staking any claim on greater relevance or importance, I pick up a selective fare for illustrating some of the nagging issues and unresolved dilemmas present before urban analysts.

The issues raised by the editorial duo in the last selection raise the basic issues and conceptual difficulties facing urban policy formulation and planning in the developing countries. Symptomatic of the duality pervading the field is the contrast between what the editors call the prevailing worldwide anti-urban, anti-bigcity attitude among politicians of *all* persuasions (sic) and the widely noted general phenomenon of unprecedented pace of 'urbanisation' and the still faster rate of growth of exploding megapolises over the preceding couple of decades. One may move towards understanding this paradox if a clear conceptual distinction is made between "urban accretion" (referring to resultant, unplanned, spontaneous growth of towns and cities as a result of unplanned development of the economy and society), urban growth (resulting from planned development of the economy but without integration of spatial-physical dimensions into an integrated planning frame) and urbanisation (planned, teleological development of society in which social settlements are a crucial choice variable, giving rise to scientifically determined pattern of social settlements on the basis of given social objectives and norms). Exclusive, compartmentalised thinking concerning urbanisation, regional planning, physical and social space and economic, social and political development has not only led to the growth of urban studies as a separate discipline but also of planning and administrative agencies with exclusive metropolitan focus. When a metropolitan planning exercise, e.g., the one in Calcutta, leads to the "insight" that "economic development for the metropolitan district is probably impossible outside the framework of an economic development plan for the state of West Bengal as a whole and desirably for Eastern India" (Arthur T. Row pp. 146-147) or as the reviewer of the Karachi Metropolitan Planning concludes: "Adequate steps will have to be taken to ensure that social and physical planning are integrated with economic planning in such a manner that the national plans have adequate cognisance of the regional and spatial dimensions

of the investments proposed by the plan" (p. 130, Khalid Shibli) the message is unmistakable. However, such a synthesis does not argue against regional and metropolitan planning in a multi-level planning frame. What is emphasised in such an approach is a view of urban phenomena not as a private but as a resultant, secondary phenomena arising out of and as a consequence of many major facets of social development.

Even when dealing with the minutiae of urban planning, this inter-penetrative, multi-faceted nature of the urban problems in general and of specific issues like housing, land-use pattern, provision of social services, mobilisation of finance, etc., asserts itself. The so-called "success-stories" of Singapore and the emerging stories of metropolitan planning in Calcutta and Karachi underline this aspect as also the need for building such exercises into "the Government decision-making process as early and as effectively as possible". (p. 161).

The empirical testing of hypotheses like whether urbanisation is destructive or inhibitive of development or, is constructive or contributory (Dotson and Teune, pp 13-43) while admittedly can never be compelling or definitive, may still be either barren of significant policy pay-off or may be fairly misleading in explaining the observed co-variance through relationships like urbanisation contributing to "administrative capacity". In any case, if distinctions between urban accretion, urban growth and urbanisation are sharply conceptualised, the rationale for such elaborate naivette is eliminated.

The papers on housing policies and financing urban housing and development are significant for their breadth of perception and down-to-earth practical tendency. However, the advocacy of open-options urban planning, though far superior to rigid Master Plans, falls far short of integrated regional planning the authors themselves advocate. Then, the scaling down of housing norms may sound practical, particularly in view of resource-constraints; however, basically, it is rooted in a total acceptance of the prevailing assets and power distribution in urban centres. Surprisingly, explicit recognition of social dimensions at the local and national levels does not somehow awaken these authors to this yet another social dimension.

In brief, the separate topics have a unity of themes, though the level of treatment is widely different and unnecessarily esoteric.

—KAMAL NAYAN KABRA

LAW OF MUNICIPAL CORPORATIONS by R. D. AGRAWAL,
Law Book Co., Allahabad, 1969, pp. 622+LIV, Rs. 25.

In his preface to the treatise on "Local Government Law and Administration in England and Wales," first published in 1934, Lord MacMillan wrote : "The multiplicity and elaboration of our statutes are such that only the omniscient can escape if ignorance of the law is to continue to be no excuse". The same is true of the present-day India where every year a large number of legislations are added on to the already

voluminous statute book making it extremely difficult for the busy administrator and the ordinary citizen to keep track of the changes in law. Municipal law in India is no better in this respect. Local Government being a state subject under our Constitution, each State has separate enactments providing for the constitution and powers of municipalities and corporations and more often than not having considerable variations in details. The laws embodied in the various provisions of these statutes are being constantly subjected to judicial interpretations and the administration often comes up against such interpretations in the course of their day-to-day activities.

Being "grass-roots" law, having closer ties with the people, and because of its varied and pervasive nature, one would reasonably expect a good deal of research work in this area ; but in our country municipal law has long been neglected by the law students interested in legal research. Little attempt has been made to make a comparative study of the legislations in different States with a view to highlighting the similarities, the differences and the defects in the law. Nor has there been only comprehensive approach to make any analytical study of the judicial interpretations of these statutory provisions with a view to making them more orderly and compact so as to be of practical use to the officers of the local authorities and the interested public.

Viewed in this context, Shri Agrawal's book on the "Law of Municipal Corporations" is a welcome contribution to the field of municipal administration. It attempts to explore the law relating to municipal administration--an area which has been left unexplored for a long time. According to the author, the work attempts "to set out the law embodied in numerous State enactments in a lucid, analytical and exhaustive manner" and answers "a widely-felt need for a treatise straddling the law scattered in several State Acts". The book is divided into fifteen chapters dealing mainly with the constitution of and the control over municipal corporations, powers of taxation, including fees and licence fees, regulatory powers in respect of buildings, trades, professions, etc., improvement schemes, suits and prosecution and bye-laws, rules and regulations. There are separate chapters on definitions, interpretations, elections and meetings. A good number of court decisions have been cited to clarify the law on certain points.

Municipal law is essentially a matter of statutes and their interpretation and as such the author has done well in attempting to expose the law embodied in the statutory provisions mainly through a discussion of case law. It goes to the author's credit that he has put in hard work towards the collection and compilation of judicial pronouncements on the subject.

It has to be pointed out, however, that the work lacks the compactness of legal writing. There are occasions in the book where the reader is thrown uninitiated to the intricacies of a topic without much guidance. To cite a few examples : There is a short discussion on the doctrine of *ultra vires*—the discussion is far from satisfactory—without trying to define it or even explain its meaning. The same is true of the expression "colourable legislation" about which the author says : "It is well-settled that if an enactment is within the legislative competence of the State legislature, then the motives which implied it to act are really irrelevant and have no bearing on the question whether the Act is or is not a piece of colourable legislations." And nothing more. Does this explain the expression "colourable legislation?" Again, while discussing whether municipal undertakings would come

under the definition of "industry" under the Industrial Disputes Act, the author suddenly jumps into the topic without trying to explain the term "industry" under that Act or the relevance of such a discussion. These are only some of the instances to illustrate the point.

The Book is not all-embracing so far as the subject of municipal law is concerned. In a book of this type, dealing with the law of municipal corporations, one would reasonably expect a chapter on the legal framework of municipal administration explaining briefly the laws, other than municipal Acts, which have a bearing on municipal administration, like for instance the Prevention of Food Adulteration Act, the Rent Control legislations, the Land Acquisition Act, etc. Such a discussion is conspicuously absent in the book. While it has to be admitted that some of the topics like municipal elections and municipal taxation have been dealt with fairly exhaustively, the discussions on topics like the rule of *ultra vires*, municipal servants and municipal contracts are either incomplete or unsatisfactory. Further, topics on tortious liability of municipal bodies, legal problems of departmental enquiries, etc., have been completely left out.

Regarding court decisions, it may be pointed out that case law has been cited under each topic along with the principles laid down therein but without giving sufficient importance to the facts of the cases. It is worth remembering that generally the facts constitute one of the most significant elements of a case and as such should not be ignored while discussing cases. Another drawback that pervades throughout the book is the absence of any critical analysis of the judicial decisions. And the author has conveniently avoided expressing his opinion on the loopholes in the law and the reforms that are necessary for bringing the law in tune with the modern conditions.

These are some of the drawbacks which it is hoped, the author would take pains to rectify in the next edition of the book.

Despite these drawbacks, the reviewer feels, the book has achieved its objective of bringing together in a convenient form the municipal law provisions and their judicial interpretation. In modern times when municipal bodies are very often faced with legal problems on matters they are called upon to deal with in their day-to-day administration, the book will prove useful in providing guidelines to the busy officials in finding solutions to such problems.

—M.K. BALACHANDRAN

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